



TOWN OF TYNGSBOROUGH

Office of the Selectmen

25 Bryant Lane

Tyngsborough, MA 01879

Tel: 978 649-2300 Ext. 100

Fax: 978 649-2320

Board of Selectmen Meeting Minutes

Monday October 18, 2010

6:00 P.M.

Town Offices

Member Present: Selectwoman Ashley O'Neill, Selectwoman Elizabeth Coughlin, Selectman Rick Reault, Selectman Robert Jackson.

Member absent Selectman Rich Lemoine

Staff: Town Administrator Michael Gilleberto, Admin. Assistant Therese Gay

"The listing of matters are those reasonable anticipated by the Chairman which may be discussed at the meeting. Not all items listed may in fact be discussed, and other items not listed may also be brought up for discussion to the extent permitted by law."

1. 6:05 P.M Open Meeting

The Chairman opened the meeting, the Board Members were introduced and the agenda was read.

2. New Business

- Sign the November 2, 2010 State Election Warrant

The Board voted 4-1-0 on a motion by Selectman Jackson, second by Selectman Reault to sign the November 2, 2010 State Election Warrant.

3. Citizen/Business Time

Citizens or business owners may contact the Office of the Selectmen to request to address the Selectmen during citizen/business time. Citizens or business owners who have not contacted the Office of the Selectmen in advance may address the Board of Selectmen on matters of interest to the public for not more than five (5) minutes.

Mr. Chateneauf came to the Board to ask for assistance on a safety issue. He would like to see sidewalks on Norris road so that the students who attend the Norris Road Schools would be safe from the speeding cars. The Board thanked Mr. Chateneauf for attending. The Board will work with the police and the highway dept. to put a program together to help keep the students safe. And will pursue the construction of a sidewalk.

4. Approve Minutes

- Approve the Executive Session Minutes of Monday September 13, 2010
- Approve the Executive Session Minutes of Monday September 27, 2010
- Approve the Minutes of Monday September 27, 2010

The Board voted 4-1-0 to approve the minutes of Monday, September 27, 2010 and to approve the executive session minutes as presented. Discussion, the Board has asked that the back up correspondence be included with the Executive Session Minutes.

5. Correspondence

The Board voted 4-1-0 on a motion by Selectman Reault, second by Selectman Jackson to accept the correspondence as read. Discussion the Board has received from the Athletic Commission notice that an establishment has asked for a license for Martial Arts Event. The Board has referred it to Town Counsel for review. The Board will also ask the Highway, Police, and the Building Commissioner to comment.

6. Selectmen's Reports

- Selectman O'Neill – Strategic Financial Planning

The Strategic Financial Planning Committee will have a draft report shortly and the Capital Management Committee will meet on Thursday AM. The Board of Selectmen will meet with the Tyngsborough Housing Authority on October 20th at 5PM at Red Pine Terrace.

- Selectman Coughlin – Energy and Environmental Affairs/Licenses/Inspections

On Monday October 25 the Governor will present the Green Communities Awards at a reception in Boston. The Town Hall insulation project is moving along, National Grid is working on an energy saving program for town buildings and the Planning Board and the EEAC will meet jointly to discuss the solar/wind energy by-laws. The consultant is still working on the street lights and Town Counsel is looking into the licensing of the martial arts event at the local Sports Center. To all residents, please pay attention to anything out of the ordinary, if you see anything please call the Police Dept. and report any suspicious activity.

- Selectman Reault – Northern Middlesex Council Of Government

The NMCOG is tasked with updating the town's affordable plan and are looking for a committee or an individual to work with. The Board will discuss at the October 25 meeting.

- Selectman Lemoine – Economic Development – no report this evening.

- Selectman Jackson – The Early Childhood Center

The Early Childhood Committee is continuing its inquiries into using the Center into a multi use facility their concern is if the population of children increases would the school dept be able to use the building as a school. The reports from the town census if forthcoming and should alleviate any concerns.

7. Town Administrator's Reports

The Town Administrator has not report for this evening.

8. Executive Session

The board may move to go into executive session to discuss strategy with respect to collective bargaining, litigation, or exempt negotiations if an open meeting may have a detrimental effect on such subject matters.

- Collective Bargaining

The Board voted on a motion by Selectwoman Coughlin, second by Selectman Reault to enter into Executive Session to discuss collective bargaining and to return to open session only to adjourn.

Roll Call Vote: Selectman Jackson, yes; Selectman Lemoine, absent; Selectwoman Coughlin, yes; Selectwoman O'Neill, yes; Selectman Reault, yes. The Board entered into Executive Session at 7:45 PM

9. 9:30 P.M. Adjournment

The Board voted 4-1-0 on a motion by Selectman Reault, second by Selectman Jackson to adjourn the meeting. The meeting adjourned at 9:15 PM.

Respectfully Submitted,

Therese Gay
Admin Assistant

Approved on Monday, November 8, 2010

COMMONWEALTH OF MASSACHUSETTS

WILLIAM FRANCIS GALVIN
SECRETARY OF THE COMMONWEALTH

SS.

To the Constables of the Town of Tyngsborough

GREETING:

In the name of the Commonwealth, you are hereby required to notify and warn the inhabitants of said city or town who are qualified to vote in Primaries to vote at

Precinct 1 Early Childhood Center, 135 Coburn Road
Precinct 2 Multi-Service Center, 160 Lakeview Avenue
Precinct 3 Town Hall/Library, 25 Bryants Lane
Precinct 4 Tyngsborough Elementary School, 205 Westford Road

on **TUESDAY, THE SECOND DAY OF NOVEMBER, 2010**, from 7:00 A.M. to 8:00 P.M. for the following purpose:

To cast their votes in the State Election for the candidates for the following offices:

GOVERNOR	FOR THIS COMMONWEALTH
LT. GOVERNOR	FOR THIS COMMONWEALTH
ATTORNEY GENERAL	FOR THIS COMMONWEALTH
SECRETARY OF STATE	FOR THIS COMMONWEALTH
TREASURER	FOR THIS COMMONWEALTH
AUDITOR	FOR THIS COMMONWEALTH
REPRESENTATIVE IN CONGRESS	FIFTH DISTRICT
COUNCILLOR	THIRD DISTRICT
SENATOR IN GENERAL COURT	FIRST MIDDLESEX DISTRICT
REPRESENTATIVE IN GENERAL COURT	THIRTY-SIXTH MIDDLESEX DISTRICT
DISTRICT ATTORNEY	NORTHERN DISTRICT
SHERIFF	MIDDLESEX COUNTY

QUESTION 1: LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives before May 4, 2010?

SUMMARY

This proposed law would remove the Massachusetts sales tax on alcoholic beverages and alcohol, where the sale of such beverages and alcohol or their importation into the state is already subject to a separate excise tax under state law.

The proposed law would take effect on January 1, 2011.

A YES VOTE would remove the state sales tax on alcoholic beverages and alcohol where their sale or importation into the state is subject to an excise tax under state law.

A NO VOTE would make no change in the state sales tax on alcoholic beverages and alcohol.

QUESTION 2: LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives before May 4, 2010?

SUMMARY

This proposed law would repeal an existing state law that allows a qualified organization wishing to build government-subsidized housing that includes low- or moderate-income units to apply for a single comprehensive permit from a city or town's zoning board of appeals (ZBA), instead of separate permits from each local agency or official having jurisdiction over any aspect of the proposed housing. The repeal would take effect on January 1, 2011, but would not stop or otherwise affect any proposed housing that had already received both a comprehensive permit and a building permit for at least one unit.

Under the existing law, the ZBA holds a public hearing on the application and considers the recommendations of local agencies and officials. The ZBA may grant a comprehensive permit that may include conditions or requirements concerning the height, site plan, size, shape, or building materials of the housing. Persons aggrieved by the ZBA's decision to grant a permit may appeal it to a court. If the ZBA denies the permit or grants it with conditions or requirements that make the housing uneconomic to build or to operate, the applicant may appeal to the state Housing Appeals Committee (HAC).

After a hearing, if the HAC rules that the ZBA's denial of a comprehensive permit was unreasonable and not consistent with local needs, the HAC orders the ZBA to issue the permit. If the HAC rules that the ZBA's decision issuing a comprehensive permit with conditions or requirements made the housing uneconomic to build or operate and was not consistent with local needs, the HAC orders the ZBA to modify or remove any such condition or requirement so as to make the proposal no longer uneconomic. The HAC cannot order the ZBA to issue any permit that would allow the housing to fall below minimum safety standards or site plan requirements. If the HAC rules that the ZBA's action was consistent with local needs, the HAC must uphold it even if it made the housing uneconomic. The HAC's decision is subject to review in the courts.

A condition or requirement makes housing "uneconomic" if it would prevent a public agency or non-profit organization from building or operating the housing except at a financial loss, or it would prevent a limited dividend organization from building or operating the housing without a reasonable return on its investment.

A ZBA's decision is "consistent with local needs" if it applies requirements that are reasonable in view of the regional need for low- and moderate-income housing and the number of low-income persons in the city or town, as well as the need to protect health and safety, promote better site and building design, and preserve open space, if those requirements are applied as equally as possible to both subsidized and unsubsidized housing. Requirements are considered "consistent with local needs" if more than 10% of the city or town's housing units are low- or moderate-income units or if such units are on sites making up at least 1.5% of the total private land zoned for residential, commercial, or industrial use in the city or town. Requirements are also considered "consistent with local needs" if the application would result, in any one calendar year, in beginning construction of low- or moderate-income housing on sites making up more than 0.3% of the total private land zoned for residential, commercial, or industrial use in the city or town, or on ten acres, whichever is larger.

The proposed law states that if any of its parts were declared invalid, the other parts would stay in effect.

A YES VOTE would repeal the state law allowing the issuance of a single comprehensive permit to build housing that includes low- or moderate-income units.

A NO VOTE would make no change in the state law allowing issuance of such a comprehensive permit.

QUESTION 3: LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives before May 4, 2010?

SUMMARY

This proposed law would reduce the state sales and use tax rates (which were 6.25% as of September 2009) to 3% as of January 1, 2011. It would make the same reduction in the rate used to determine the amount to be deposited with the state Commissioner of Revenue by non-resident building contractors as security for the payment of sales and use tax on tangible personal property used in carrying out their contracts.

The proposed law provides that if the 3% rates would not produce enough revenues to satisfy any lawful pledge of sales and use tax revenues in connection with any bond, note, or other contractual obligation, then the rates would instead be reduced to the lowest level allowed by law.

The proposed law would not affect the collection of moneys due the Commonwealth for sales, storage, use or other consumption of tangible personal property or services occurring before January 1, 2011.

The proposed law states that if any of its parts were declared invalid, the other parts would stay in effect.

A YES VOTE would reduce the state sales and use tax rates to 3%.

A NO VOTE would make no change in the state sales and use tax rates.

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said voting.

Given under our hands this _____ day of _____, 2010.

Ashley L. O'Neill

Elizabeth A. Coughlin

Richard D. Reault

Robert G. Jackson

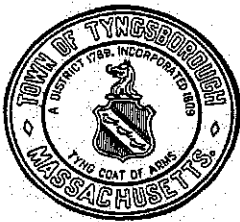
Richard B. Lemoine

Selectmen of the Town of Tyngsborough

Pursuant to the foregoing Warrant, I have notified and warned the inhabitants of the Town of Tyngsborough by posting attesting copies of the same at the Town Hall, Lakeview Avenue Fire Station No. 2, Flint's Convenience Store, Kendall Road Fire Station No. 1, and the Community Center.

Constable

_____, 2010.



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DRAFT

Board of Selectmen Executive Session Minutes

Monday September 13, 2010

6:00 P.M.

Town Offices

Member Present: Selectwoman Ashley O'Neill, Selectwoman Elizabeth Coughlin, Selectman Rick Reault, Selectman Rich Lemoine, Selectman Robert Jackson.

Staff: Town Administrator Michael Gilleberto, Admin. Assistant Therese Gay

"The listing of matters are those reasonable anticipated by the Chair which may be discussed at the meeting. Not all items listed may in fact be discussed, and other items not listed may also be brought up for discussion to the extent permitted by law."

Executive Session

The board may move to go into executive session to discuss strategy with respect to collective bargaining, litigation, or exempt negotiations if an open meeting may have a detrimental effect on such subject matters.

- **Collective Bargaining**

The Board voted 5-0 on a motion by Selectman Lemoine, second by Selectman Jackson to enter into Executive Session to discuss collective bargaining, litigation, or exempt negotiations where an open meeting will have a detrimental effect on the subject matter, the Chair so declares and to exit the Executive Session return to open session only to adjourn.

Roll Call Vote: Selectman Jackson, yes; Selectman Lemoine, yes; Selectwoman Coughlin, yes; Selectwoman O'Neill, yes; Selectman Reault, yes.

The Board entered Executive Session 7:55 P.M.

Discussions - the Town met with the Union the offer of 0% 1 year contract still stands, the union body took 45 minutes to inform the Town on the many ways they could increase revenues. The next session will be in one week, the 5th session will be 3 to 4 weeks from the next meeting. The Administrator will like to squelch the hearsay comments that money is coming in, he will look at the town finances on Thursday and see where the numbers are. Where the deadline is nearing he has a few ideas, first is to ask to remove the Town Treasurer and Town Accountant from the mid-managers union and contract with them. Also move the Council on Aging Custodian to the Highway Union, there are two priorities to increase hours of the Highway Secretary and the Building Administrator. The Highway Administrator would like to place their Secretary in their union but cannot do the type of work is different. The Administrator is asking for the Boards endorsement to move forward on the proposed changes.

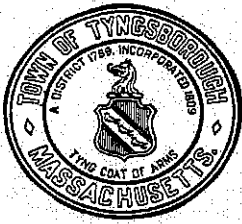
The Board voted 5-0 on a motion by Selectwoman Coughlin, second by Selectman Jackson to endorse the removal of the Town Treasurer and the Town Accountant from the mid managers union and to move the Council on Aging Custodian from the Clerical Union and place the position in the Highway Union. To expand hours of the Building Administrative Assistant to cover the Zoning Board of Appeal meetings and to expand the hours of the Highway Secretary from 18 hours to 25 hours subject to funding availability. Roll Call Vote: Selectwoman Ashley O'Neill, yes; Selectwoman Elizabeth Coughlin, yes; Selectman Rick Reault, yes; Selectman Rich Lemoine, yes; Selectman Robert Jackson, yes.

The Board voted on a motion by Selectman Jackson, second by Selectman Reault to exit executive session and to return to open session only to adjourn. The Board exited the executive session at 8:37P.M.

Respectfully submitted,

Therese Gay
Admin Assistant

Approved on _____



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Board of Selectmen Executive Session Minutes

DRAFT

Monday September 27, 2010

6:00 P.M.

Town Offices

Member Present: Selectwoman Ashley O'Neill, Selectwoman Elizabeth Coughlin, Selectman Rick Reault, Selectman Rich Lemoine, Selectman Robert Jackson.

Staff: Town Administrator Michael Gilleberto, Admin. Assistant Therese Gay

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Executive Session

The board may move to go into executive session to discuss strategy with respect to collective bargaining, litigation, or exempt negotiations if an open meeting may have a detrimental effect on such subject matters.

- **Collective Bargaining**

The Board voted 5-0 on a motion by Selectman Reault, second by Selectwoman Coughlin to enter into Executive Session to discuss collective bargaining, litigation, or exempt negotiations where an open meeting will have a detrimental effect on the subject matter, the Chair so declares and to exit the Executive Session and to return to open session only to adjourn. Roll Call Vote: Selectman Jackson, yes; Selectman Lemoine, yes; Selectwoman Coughlin, yes; Selectwoman O'Neill, yes; Selectman Reault, yes.

The Board entered Executive Session 9:30 P.M.

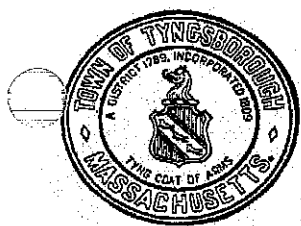
The Town Administrator informed the Board that the Union rejected their proposal to remove the Town Accountant and the Town Treasurer from the Union. The removal of the COA custodian and the PD custodian did not meet with any resistance. There was some discussion on the bereavement leave and on inclement weather. The discussion about increasing the Highway Clerk hours was rejected. Management Union work hours they work only the hours they are paid for. With no further discussions the Board voted unanimously on a motion by Selectman Jackson, second by Selectman Lemoine to vote no on the proposal brought forth and to return to the 0%, 1 year contract.

The Board voted on a motion by Selectwoman Coughlin, second by Selectman Jackson to exit executive session and to return to open session only to adjourn. The Board exited the executive session at 10:30P.M.

Respectfully submitted,

Therese Gay
Admin Assistant

Approved on _____



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Staff: Town Administrator Michael Gilleberto, Admin. Assistant Therese Gay

"The listing of matters are those reasonable anticipated by the Chairman which may be discussed at the meeting. Not all items listed may in fact be discussed, and other items not listed may also be brought up for discussion to the extent permitted by law."

1. 6:05 P.M Open Meeting

The Chairman opened the meeting, the Board Members were introduced and the agenda was read. The Planning Board Members were present to jointly with the Selectmen to appointment an Associate Member to their Board. Planning Board Members present were: Steve Nocco, Steve O'Neill, Tom Dilmore, and Bill Grammer. Former member Caryn DeCarteret submitted a letter on interest to serve as an associate.

2. New Business

- Selectmen/Planning Board Joint Meeting – Appointment of Associate Member
The Board of Selectmen jointly with the Planning Board voted 9-0 on a motion by Selectman Jackson, second by Selectwoman Coughlin to appoint Caryn DeCarteret as an associate member to the Planning Board. Roll Call Vote: Selectman Reault, yes; Selectwoman O'Neill, yes; Selectwoman Coughlin, yes; Selectman Lemoine, yes; Selectman Jackson, yes; Member O'Neill, yes; Member Nocco, yes; Member Dilmore, yes; Member Grammer, yes.

- Liquor License Request – Change in Directors and Change in Manager/Change in DBA/Amend the Entertainment License - Smokey Bones, 431 Middlesex Road
Barbeque Integrated, Inc. dba Smokey Bones has petitioned the Board for a two changes to their liquor license and to amend their entertainment license to be able to offer non gaming poker tournaments. Barbeque Integrated Inc has retained the services of Attorney Peter Nicosia to present the changes listed above. The Manager change was not on the agenda for this evening as the change was done at a previous meeting in November of 2009. This evening the only changes before the Board is the Change of a Corporate Officer and the Change in the DBA. Before the Board were Attorney Nicosia, Manager Mike Herchuck and Corporate General Manager David Terry. The changes were presented and the Board voted favorably on the two corporate changes and continued the amendment to the entertainment license to Monday October 4, 2010.

The Board voted unanimously on a motion by Selectwoman Coughlin, second by Selectman Jackson to change the dba from Smokey Bones BBQ to Smokey Bones Bar & Fire Grill #7515.

The Board voted unanimously on a motion by Selectman Lemoine, second by Selectman Jackson to add Corporate Officer Rick Walters to the list of corporate officers.

The Board continued the Entertainment License hearing to Monday October 4, 2010.

- Tyngsborough Housing Authority – Presentation

The Housing Authority Executive Board Chairman Rick DeLeo, Vice Chairman John Pelletier, Marguerite Giguere, and Director Melinda Thiede were introduced; Members Michele Reichter and Bry Lambert were absent. The Authority did a slide presentation to help inform the residents of the role the housing authority plays in making available affordable housing for residents who would not be able to continue living in the community after retirement. The two boards discussed the affordable housing plan that is being updated by NMCOG and what role does the Housing Partnership play in the plan. Mr. DeLeo complimented the partnerships role played in formulating a housing plan and to work with the 40B developers. The Authority is looking to increase their housing stock and are asking for assistance in locating land/available buildings that could be converted into affordable units. The Housing Authority is meeting at the end of the month and has asked the Housing Partnership to attend and do a presentation. The Authority would like to work with the Partnership. Selectman Lemoine did present the Partnership portion of the discussion. The Partnership works directly under the direction of the Housing Authority. The Partnership has been very successful. They partnered with the ZB A, and the Authority in creating the Affordable Housing Plan and working with 4 projects to bring the town's housing quota to 12%. Two of the projects spent close to 5 million dollars in bring water and sewer up Middlesex Road and increased the revenues through fees and rates. The Housing Authority should be involved in upgrading the plan and with the Partnership. There were still some questions to be answered and more information to be attained. The Board voted unanimously on a motion by Selectman Reault, second by Selectwoman Coughlin to request of the Zoning Board of Appeals to not transfer any units to the Partnership. Until the Partnership and the Authority meet in a work session to discuss further.

3. Citizen/Business Time

Citizens or business owners may contact the Office of the Selectmen to request to address the Selectmen during citizen/business time. Citizens or business owners who have not contacted the Office of the Selectmen in advance may address the Board of Selectmen on matters of interest to the public for not more than five (5) minutes.

No Citizen came forward this evening.

4. Approve Minutes

- Minutes of Monday September 13, 2010

The Board voted unanimously on a motion by Selectman Lemoine, second by Selectwoman Coughlin to approve the Minutes of Monday September 13, 2010.

5. Old Business

- Appoint – Cultural Council Member

The Board voted unanimously on a motion by Selectwoman Coughlin, second by Selectman Reault to appoint Juli Rogers as a Member on the Cultural Council. Ms Rogers submitted a letter of interest to serve on the Council.

- Eagle Scout Project Review

Has been deferred to Monday October 4 meeting.

- Affordable Housing Discussions

Selectman Lemoine did speak to affordable housing with the Board and Housing Authority earlier in the evening.

- Animal Control/Animal Inspector

The Town Administrator is asking the Board to extend the contract for services with the Town of Westford for another 90 days. This will give the Administrator more time to hopefully move to a longer term and a proposal to include the services of Animal Inspector.

The Board voted unanimously on a motion by Selectman Lemoine, second by Selectman Jackson to enter into a 90 day extension to the agreement with the Town of Westford, the extension to end December 31, 2010.

- Art Display

Selectman Jackson spoke about the art display board that the Education Foundation awarded the Art teacher to display art work in the lobby of the Town Hall. The Board voted unanimously on a motion by Selectwoman Coughlin, second by Selectman Jackson to approve the use of the art display boards in the lobby of the town hall.

6. Correspondence

The Board voted unanimously on a motion by Selectman Reault, second by Selectman Jackson to accept the correspondence as read. Discussion on a letter from the Assessors, several letters from departments looking to restore hours needed to have better communication with the general public, cannot increase some hours and not others the union body is stopping the requests. Received a letter from one contractor with the necessary papers to finish the acceptance of two streets. A letter from the Planning Board requesting the Board hold a public hearing for the acceptance of Cedar Street. Announcing the Town's business day and the fund raiser Tyng Fling by the Recreation Dept. New hours for the Inspectional Department will be provided at the next Selectmen's meeting.

7. Selectmen's Reports

- Selectman O'Neill - Strategic Financial Planning - No report this evening.
- Selectman Coughlin - Energy and Environmental Affairs/Inspections

I attended the ceremony rededicating the new Massachusetts Law Enforcement Memorial dedicated to the officers who died in the line of duty. Tyngsborough has two of its officers included on the memorial. It was a solemn occasion and was well attended. I have found while doing an inspection to correct one pole on Flint Road, noticed that there were numerous poles at the Kendall Road, Flint Road and Bryant Lane area that have bundled up wires and have guide wires tethered to trees, I would like to have this problem addressed.

- Selectman Reault - Northern Middlesex Council Of Government - No report this evening.
- Selectman Lemoine - Economic Development - No report this evening.
- Selectman Jackson - The Early Childhood Center

I will be attending the first TEEC meeting on Tuesday. I had the chance to tour the old Winslow school building and found the conditions at the old building to be in disrepair and I also found that many of the Town's documents are stored there. I would like to see the records moved to a more secure and safer building. I would also like to see the building secured so that no one could access the building. The Secretary of State provides a service to municipalities assisting them with the retention/disposition of records.

8. Town Administrator's Reports - No report this evening.

The Board voted on a motion by Selectman Jackson, second by Selectwoman Coughlin to enter into a Work Session and at the conclusion to enter into Executive Session and to return to open session only to adjourn. Roll Call Vote: Selectman Jackson, yes; Selectman Lemoine, yes; Selectwoman Coughlin, yes; Selectwoman O'Neill, yes; Selectman Reault, yes. The Board entered into a Work Session at 8:30 PM

9. Work Session

- Goals

The Senior Work Off Program will be placed on the Monday, October 2, 2010 agenda.

The Board discussed some of the following: Look into the combination of an HR person and an Assistant Town Administrator position; the continuance of the overlay district, to have a design guideline and to do the code review on the existing barn and the installation of the fence in the town center. And also discussed the possibility of a sewer design and

construction committee, and to continue the process of road acceptance, the bridge repair and the Pawtucket blvd realignment.

- Policies

The Board did not discuss policies this evening.

The Board concluded the work session at 9:30 PM and entered into Executive Session.

10. Executive Session

The board may move to go into executive session to discuss strategy with respect to collective bargaining, litigation, or exempt negotiations if an open meeting may have a detrimental effect on such subject matters.

- Collective Bargaining
- Litigation

The Board voted on a motion by Selectman Reault, second by Selectwoman Coughlin to enter into Executive Session to discuss collective bargaining and to return to open session only to adjourn.

Roll Call Vote: Selectman Jackson, yes; Selectman Lemoine, yes; Selectwoman Coughlin, yes; Selectwoman O'Neill, yes; Selectman Reault, yes. The Board entered into Executive Session at 9:30 PM

11. Adjournment

The Board exited the executive session and returned to open only to adjourn. The Board voted on a motion by Selectwoman Coughlin, second by Selectman Jackson to adjourn the meeting. The Board adjourned at 10:30 p.m.

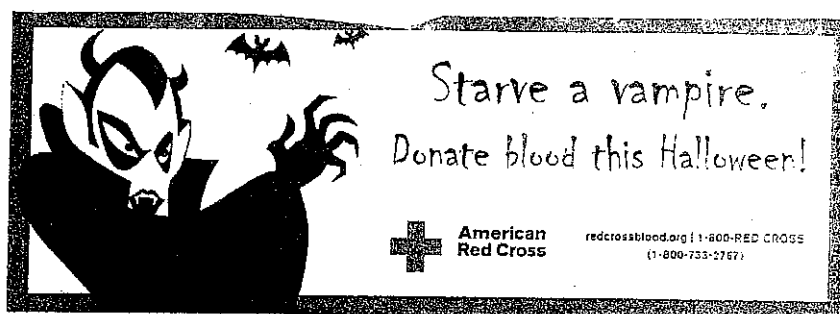
Respectfully submitted,

Therese Gay
Admin Assistant

Approved on: _____

Bob McGann, Chairman of the Lions' Club Blood Drive would like to thank all the people who donated blood at our January Red Cross blood drive. Sixty-three (63) pints of blood were collected. Bob would also like to thank the area restaurants that donated food for the donors and volunteers. Bella Italia, Smokey Bones, Sal's Pizza, KFC, The Olive Garden, Dunkin Donuts and Boston Pizza were all generous with their gifts of food.

ANGELAS



Tyngsboro Community Blood Drive

Sponsored by the
Tyngsboro/Dunstable Lions Club

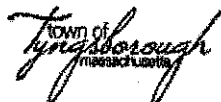
Saturday, October 30, 2010
9:00 a.m. – 2:00 p.m.

Sportsmen's Club
90 Westford Road, Tyngsboro

All presenting donors receive a Coupon for a
Free 6 Inch Subway Sub

**Prizes not redeemable for cash and non-transferable.*

1-800-Red Cross or www.RedCrossBlood.org
The need is constant. The gratification is instant. Give blood.™



Therese Gay <tgay@tyngsboroughma.gov>

Fwd: MMA Show Scheduled for November 6, 2010

Michael P. Gilleberto <mgilleberto@tyngsboroughma.gov>
To: Therese Gay <tgay@tyngsboroughma.gov>

Thu, Oct 14, 2010 at 3:51 PM

Terry: for the BoS correspondence.

----- Forwarded message -----

From: **Drimer, Ronnie (DPS)** <Ronnie.Drimer@state.ma.us>
Date: Thu, Oct 14, 2010 at 1:49 PM
Subject: MMA Show Scheduled for November 6, 2010
To: "mgilleberto@tyngsboroughma.gov" <mgilleberto@tyngsboroughma.gov>

To Whom It May Concern,

We are writing to inform you that the Massachusetts State Athletic Commission has this day issued a license to Donald Mustapha for an event at the Tyngsboro Sports Center, 18 Progress Ave, Tyngsboro, MA for November 6, 2010. In accordance with M.G.L. Chapter 147, section 47A, the town of Tyngsboro may, by majority vote of the Town Selectmen with approval of the Town Manager, prohibit the event and order revocation of the license.

Please notify us as soon as possible.

Thank you,

Ronnie Drimer

Program Coordinator

Massachusetts State Athletic Commission

--
Michael P. Gilleberto
Town Administrator
Town of Tyngsborough

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October 12, 2010

2010 OCT 14 10:11

RECEIVED
TOWN OF TYNGSBOROUGH, MA.

Town of Tyngsborough

Board of Selectmen

Attn: Town Administrator – Mr. Michael Gilleberto

25 Bryants Ln.

Tyngsborough, MA. 01879

To The Board of Selectmen,

As a town resident, my wife and I are interested in having Tyngsboro implement an ordinance which prohibits people from parking either licensed or unlicensed vehicles, specifically - campers, RVs and boat trailers, on town roads when not in use. We would like the town to implement such an ordinance based upon our neighbors' recent practice of parking a licensed / insured pop-up type camper in the street for extended periods after returning home from camping trips. Our primary issue with our neighbors' practice, during the period of early July 2010 – early October 2010, is that it makes our neighborhood look "campy". In contrast, other residents in the neighborhood park their campers and trailers either beside or behind their homes.

When we brought up this issue with our neighbors, they told us that they parked the camper in the street until they "aired" it out after each trip. Since our neighbors would prefer to park the camper in the street as opposed to on their own property after returning from a trip, we are turning to you, "the town fathers", to develop and implement an ordinance outlawing this practice.

Although we have not found campers, RVs and boat trailers being parked on other town roads, we would prefer, if it all possible, for this ordinance to be specific to Bridgemoor Acres. At a minimum, we would like this ordinance to require that both licensed and unlicensed campers, RVs and boat trailers be stored either beside or behind the residents' homes.

If you have any questions or required any additional information, please do not hesitate to contact us at (978)-649-4814.

From,

Bob and Denise

Bob and Denise Roy

83 Clover Hill Circle

Tyngsborough, MA. 01879

cc: Michael Gilleberto



Therese Gay <tgay@tyngsboroughma.gov>

interest from Sujatha Meyyappan

Jeffrey Lipsky <jeffrey_lipsky@yahoo.com>

Wed, Oct 13, 2010 at 1:51 PM

To: Therese Gay <tgay@tyngsboroughma.gov>

Hi Therese,

Here's the email Suja sent to me.

Hi,

Good Evening! My name is Sujatha Meyyappan. I live in Tyngsboro. I'm a professional Indian Classical Dancer (Type - Bharathanatyam). I came across this town cultural council and I would very much like to be a part of it and get involved in any ways like performing, helping, organising etc.,

Here are the details about me:

I am a Classical Bharathanatyam dancer – one of India's ancient dance forms. I started learning this dance form when I was 3 years old. I have more than 20 years of experience in learning, performing and teaching this art form. Though I'm a Medical Quality Engineer in profession, I am very dedicated to passing on this traditional art form to next generations. I have completed couple of charity programs in the Massachusetts area and am planning to do more.

I moved to Tyngsboro in 2004 and I came to know about this town Cultural Council. Being an artist, I felt a strong need to connect myself with Tyngsboro Cultural Council and hence I contacted Jeff Lipsky. After hearing the purpose & goal of Tyngsboro Cultural Council, I'm very excited to be a part of the same as I can be another productive member for any and all upcoming events and happenings for the betterment of Tyngsboro town.

Please let me know if you need more information

Thank You,
Sujatha Meyyappan
12 Overlook Dr ,
Tyngsboro MA 01879

jeFF

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y

CHARLES J. ZAROULIS LAW OFFICES

40 Church Street, Suite 500, Lowell, Massachusetts 01852-2686

Telephone (978) 458-4583

Facsimile (978) 937-0950

VIA ELECTRONIC MAIL & USPS

July 21, 2010

Mr. Michael P. Gilleberto
Town Administrator
Town Hall
25 Bryants Lane
Tyngsborough, MA 01879

File: Tyngsborough

Re: Westford Road Development, LLC
Sycamore Networks Real Estate
Release of 1987 Development Agreement

Dear Michael:

This letter is in response to your E-mail of June 17, 2010, enclosing a letter dated September 9, 2010, from Westford Road Development, LLC, Release of Development Agreement 2010, and Development Agreement 2010. No facts or issues have been presented to me.

I have reviewed the prior Agreement dated November 31 (sic) 1987, and certain records at the Registry of Deeds concerning the subdivision definitive plan approval and covenants, as well as the Board of Selectmen and Town Meeting minutes.

I make the following comments:

1. Release of Development Agreement:

Based on the information provided to me, I do not find any prohibition against the Board of Selectmen's and the Planning Board's signing the Release if such Boards determine that it is in the public interest to do so. However, see my comments below regarding impact fees.

2. Development Agreement:

Paragraph 9 should provide that the Agreement run with the land.

CHARLES J. ZAROULIS LAW OFFICES

Mr. Michael P. Gilleberto, Town Administrator
Re: Westford Road Development, LLC
Sycamore Networks Real Estate
Release of 1987 Development Agreement
July 21, 2010

Page 2 of 3

Paragraph 8: Town of Tyngsboro should be spelled, "Tyngsborough." Add the fax number.

Also, state that notice shall be provided to the Town Administrator.

My review is as to form only and not as to substance where no facts or issues have been presented to me.

I note that the proposed agreement, unlike the previous agreement, does not set forth specifically how the monies are to be applied. I assume the intent, therefore, is for the monies to be paid into the general fund.

I bring to your attention the following regarding the legality of impact fees:

The Massachusetts courts address whether the proposed fee constitutes an impermissible tax. The leading case on point is *Emerson College v. City of Boston*. The Supreme Judicial Court reviewed Boston's attempt to impose a charge against certain large buildings that required "augmented" fire services. Where college was tax-exempt, it claimed that the charge constituted an unconstitutional tax, rather than a fee. The court announced a three-pronged test to distinguish a fee from a tax:

1. Fees are charged in exchange for a particular government service that benefits the party paying the fee in a manner not shared by other members of society.
2. Fees are paid by choice, in that the party paying the fee has the option of not utilizing the government service and thereby avoiding the charge.
3. Fees are collected not to raise revenues but to compensate the government entity providing the services for its expenses.

Since the benefits of the charge were not limited to the college but attached to the general public, the court held that this was a tax in violation of the state constitution. The court noted that the fact that "revenue obtained from a particular charge is not used exclusively to meet expenses incurred in providing the service but is destined instead for a broader

CHARLES J. ZAROULIS LAW OFFICES

Mr. Michael P. Gilleberto, Town Administrator
Re: Westford Road Development, LLC
Sycamore Networks Real Estate
Release of 1987 Development Agreement
July 21, 2010

Page 3 of 3

range of services or the general fund, 'while not decisive, is of weight in indicating that the charge is a tax.' "

Please call me if you have any questions and to discuss.

Sincerely yours,

Charles J. Zaroulis
Town Counsel

CJZ/jrz

Cc: Board of Selectmen

Westford Road Development, LLC
315 Middlesex Road, Unit 3
Tyngsboro, Massachusetts 01879

June 9, 2010

Board of Selectmen
Town Offices
25 Bryants Lane
Tyngsborough, MA 01879

Dear Members of the Board:

We are writing to update you on the status of the proposed development of the land currently owned by Sycamore Networks Real Estate, LLC ("Sycamore") located in the triangle formed by Westford and Middlesex Roads (the "Property").

As you know, we have been expeditiously pursuing all of the state and Town permits and approvals that we require in order to make this proposed development a reality, and we are pleased that the proposal continues to be so well received by the Town's various boards, committee and residents.

We are particularly grateful for this Board's willingness to collaborate with us to ensure that this project is realized in such a way so as to provide substantial benefits to the Town of Tyngsborough.

As you may know, the Town, by its Board of Selectmen and Planning Board, and the Trustees of Vesper Properties I Trust ("Vesper Properties") entered into a development agreement on November 31, 1987 in connection with the then proposed seventeen lot development plan for the Property. A copy of the 1987 development agreement is enclosed. This proposed development plan was never fully completed (only two buildings were constructed on Potash Hill Road) and on October 30, 2000, Vesper Properties conveyed the unimproved portion of the Property to Sycamore.

The development plan proposed in 1987 has been abandoned for over 20 years and thus, the corresponding development agreement is obsolete and a considerable hindrance to improving the Property. As long as the 1987 development agreement remains on record at the Registry of Deeds, it will continue to unnecessarily encumber the Property, thereby limiting any potential development thereof. This in turn will prevent the Town from recognizing the tax and other benefits that would be associated with any improvements to the Property. Furthermore, the 1987 development agreement needlessly restricts any potential developer's ability to secure financing in connection with the Property, and will limit the lease and resale value of the same. Finally, if the 1987 development agreement is not released, we do not anticipate that it will be possible to move forward with the proposed project.

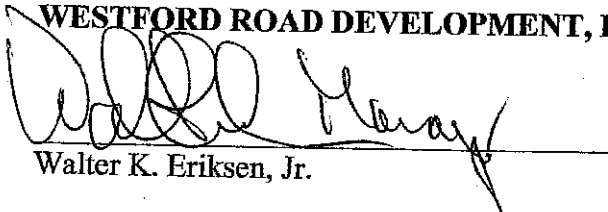
For all of these reasons, it is critical that the Property be released from the terms, conditions and provisions of the 1987 development agreement. For your convenience, we have enclosed a proposed release of the 1987 development agreement for your consideration.

Though we believe the 1987 development agreement is a significant obstacle to the development of the Property, we are offering a more appropriate development agreement to alleviate any burden on Town services associated with the proposed project. Accordingly, we would agree to execute a new development agreement and have enclosed a proposed draft for your consideration. We believe the attached draft is a viable alternative to the 1987 development agreement that would not only facilitate the development of the proposed project – and thus ensure that the Town receives the tax and other benefits thereof – but would provide additional impact fees to offset the costs of increased services.

Of course, we would be happy to discuss this matter with the Board at your convenience. We look forward to continuing to work with you in conjunction with this project.

Respectfully:

WESTFORD ROAD DEVELOPMENT, LLC



Walter K. Eriksen, Jr.

Enclosures

cc: Town of Tyngsborough Planning Board

Westford Road Development, LLC
315 Middlesex Road, Unit 3
Tyngsboro, Massachusetts 01879

June 9, 2010

Planning Board
Town Offices
25 Bryants Lane
Tyngsborough, MA 01879

Re: Westford Road Development Project

Dear Members of the Board:

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As you know, we have been expeditiously pursuing all of the state and Town permits and approvals that we require in order to make this proposed development a reality, and we are pleased that the proposal continues to be so well received by the Town's various boards, committee and residents.

We are particularly grateful for this Board's willingness to collaborate with us to ensure that this project is realized in such a way so as to provide substantial benefits to the Town of Tyngsborough.

As you may know, the Town, by its Board of Selectmen and Planning Board, and the Trustees of Vesper Properties I Trust ("Vesper Properties") entered into a development agreement on November 31, 1987 in connection with the then proposed seventeen lot development plan for the Property. A copy of the 1987 development agreement is enclosed. This proposed development plan was never fully completed (only two buildings were constructed on Potash Hill Road) and on October 30, 2000, Vesper Properties conveyed the unimproved portion of the Property to Sycamore.

The development plan proposed in 1987 has been abandoned for over 20 years and thus, the corresponding development agreement is obsolete and a considerable hindrance to improving the Property. As long as the 1987 development agreement remains on record at the Registry of Deeds, it will continue to unnecessarily encumber the Property, thereby limiting any potential development thereof. This in turn will prevent the Town from recognizing the tax and other benefits that would be associated with any improvements to the Property. Furthermore, the 1987 development agreement needlessly restricts any potential developer's ability to secure financing in connection with the Property, and will limit the lease and resale value of the same. Finally, if the 1987 development agreement

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Of course, we would be happy to discuss this matter with the Board at your convenience. We look forward to continuing to work with you in conjunction with this project.

Respectfully:

WESTFORD ROAD DEVELOPMENT, LLC


Walter K. Eriksen, Jr.

Enclosures

cc: Town of Tyngsborough Board of Selectmen

DEVELOPMENT AGREEMENT

This Development Agreement is entered into as of the 31st day of November, 1987 between the Town of Tyngsborough, Massachusetts ("Town") and Paul E. Guaraldi and Francis D. Burke, as Trustees of Vesper Properties I Trust under Declaration of Trust dated January 8, 1986 and recorded with Middlesex North District Registry of Deeds in Book 3315, Page 65 (Vesper Properties).

WHEREAS, Vesper Properties has acquired a certain parcel of land in Tyngsborough, Middlesex County, Massachusetts consisting of approximately 130 acres situated easterly of Westford Road and southerly of Middlesex Road (the "Land");

WHEREAS, Vesper Properties intends to construct upon the Land an office/research and development park consisting of buildings aggregating not more than 850,000 net rentable square feet in area (the "Park").

WHEREAS, the Land was rezoned at the Special Town Meeting of September 10, 1985 from General Residence Zone and Business Zone to Industrial Zone in order to facilitate and encourage the construction of the Park.

WHEREAS, the Park is anticipated to significantly increase the Town's non-residential tax base and provide employment and other benefits to the Town;

WHEREAS, Vesper Properties and the Town mutually desire to expedite an orderly and coordinated development of the Land for the protection of the character of the Town and to enhance the attractiveness of the Park; and

WHEREAS, Vesper Properties and the Town have been cooperating and intend to continue to cooperate to arrive at a mutually desirable master plan for the Park;

WHEREAS, Vesper Properties and the Town intend to cooperate in coordinating and securing necessary permits and approvals from governmental agencies having jurisdiction;

WHEREAS, Vesper Properties recognizes that the construction and operation of the Park will utilize municipal services, thereby creating a burden in the areas of public safety and traffic and will impose other burdens upon the Town by the elimination of open space and land which could be utilized for recreation purposes;

WHEREAS, Vesper Properties desires to assist the Town as to the cost of the added municipal services and other burdens imposed by the Park;

NOW THEREFORE, for sufficient and valuable consideration received, the Town and Vesper Properties hereby agree:

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1. Upon the completion and occupancy (as defined below) of all or any part of any building within the Park, Vesper Properties shall pay to the Town a fee (the "Development Fee") based upon net rentable building floor area in the amounts and at the times and in the manner set forth below.
2. The amount of Development Fee shall be \$1.25 per net rentable square foot of building floor area for each building as to which the occupancy permit has been issued.
3. Development Fees for net rentable square feet in a building shall become due and payable within 30 days after the completion, issuance of a certificate of occupancy, and occupancy of such space. Failure to make such payments when due shall constitute a breach of this Development Agreement. For the purposes of this Development Agreement, "occupancy" shall mean actual occupancy for office, industrial, research and development, or other permitted business purposes by a tenant of Vesper Properties. The parties expressly intend that substantially equivalent development fees be imposed upon other significant non-residential developers along Westford Road between Middlesex Road and Dunstable Road.
4. Payments of Development Fees shall be made to the Town of Tyngsborough at the office of the Tyngsborough Town Treasurer in lawful money of the United States of America. Each payment shall be accompanied by a certificate of Vesper Properties stating the following with respect to such Development Fee payment: (i) the amount paid therewith; (ii) the method of calculation; (iii) the net rentable area in square feet of the building; and (iv) the location or number of the building. A receipt of the Tyngsborough Town Treasurer indicating that the payment set forth in such certificate has been made shall be conclusive evidence that such payment was timely made and no further cash payments in respect of Development Fees shall be payable thereafter with respect to the portion of the Park referred to in any such certificate.
5. Payments in respect of Development Fees shall be applied by the Town of Tyngsborough as follows: Until occupancy of net rentable building floor area within the Park reaches the 400,000 square-foot level, payments in respect of Development Fees shall be allocated as follows:
 1. 80% to the Impact Fee Fund (hereinafter defined).

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2. 10% to the Town's Fund for Police and Fire purposes, and

3. 10% to the Town's Conservation/Recreation Fund.

Total 100%

After the earlier to occur of (i) the occupancy of net rentable floor area of buildings in the Park exceeding 400,000 square feet, or (ii) the completion of improvements required to widen Westford Road, payments in respect of Development Fees shall be allocated 6% to the Impact Fee Fund, 34% to the Fund for Police and Fire purposes (up to a maximum of \$218,750) and 66% to the Conservation/Recreation Fund (up to a maximum of \$443,750). In the event that one of the foregoing two maximums is reached, all subsequent payments in respect of Development Fees shall be allocated to the other fund until the maximum for the second fund is reached, at which time all obligations to make payments in respect of Development Fees shall cease.

All payments hereunder to the Fund for Police and Fire Purposes shall be evenly split between the Fire Department and the Police Department.

6. The "Impact Fee Fund" shall mean a separate escrow fund to be held by a commercial escrowee to be mutually designated within sixty (60) days hereafter, or if the parties are unable to so agree, Town Counsel and used only for the purpose of improvements to Westford Road between Route 3 and Middlesex Road, provided that after the completion of the required improvements to said portion of Westford Road, said funds may, with a written consent of Vesper Properties, be reallocated (subject to the maximums set forth above) to the Conservation/Recreation Fund and the Fund for Police and Fire purposes. No such reallocation of the Impact Fee Fund shall increase the maximum amounts for the Fund for Police and Fire purposes or the Conservation/Recreation Fund as set forth in paragraph 5 above.
7. In addition to the foregoing payments in respect with Development Fees, Vesper Properties shall, simultaneously with obtaining a building permit for the construction of space which would increase the net rentable square footage in the Park above the 300,000-square-foot level, Vesper Properties shall cause the traffic signals and/or lights to be installed at each Park entrance, without cost or expense to the Town of Tyngsborough.
8. All notices and other communications respecting this development agreement shall be in writing and shall be mailed, by registered or certified mail (postage and registration or certification charges prepaid) or

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delivered by hand, in the case of Vesper Properties to: Vesper Properties Inc., Suite 3620, One Post Office Square, Boston, MA 02109 and in the case of Tyngsborough to: Board of Selectmen, Town Hall, Tyngsborough, MA 01879 except that either party may by written notice to the other designate another address which shall thereupon become the effective address of such party for the purposes of this paragraph. Any such notice shall be deemed given when so delivered by hand, or, if so mailed, three days after depositing with the United States postal services.

9. The terms and provisions of this development agreement shall be binding upon and inure to the benefit of the respective successors and assigns of the parties hereto.
 10. Notwithstanding anything to the contrary contained in this development agreement, it is expressly understood that this agreement shall be non-recourse and the extent of liability on the part of Vesper Properties is expressly limited to its interest in the Park, the Town hereby expressly agreeing (i) to look solely to such property in satisfaction of the obligations of Vesper Properties hereunder and (ii) no trustee or beneficiary of Vesper Properties shall have any personal liability for the obligation of Vesper Properties hereunder.
 11. This development agreement shall be governed by and construed in accordance with the laws of the Commonwealth of Massachusetts.
- EXECUTED as a sealed instrument as of the date and year first above written.

TYNGSBOROUGH BOARD OF SELECTMEN

Robert W. G. Gagne
David H. McNulty
Robert J. Kenna
W. J. Sullivan



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RSH-0457N-08/12/87

TYNGSBOROUGH PLANNING BOARD

Carole Fisher 2/25/88

Alan P. Giguere, Jr.

James G. Finnica

Francis J. Burke
VESPER PROPERTY TRUST

Francis D. Burke, as Trustee
and not individually

Paul E. Guaraldi
Paul E. Guaraldi, as Trustee
and not individually

COMMONWEALTH OF MASSACHUSETTS

ss.

March 9, 1988

Then personally appeared the above-named Paul E. Guaraldi,
Trustee as aforesaid and acknowledged the foregoing instrument
to be his free act and deed, before me,

Maureen J. Carey
Notary Public

My Commission Expires:

March 9, 1991



RELEASE OF DEVELOPMENT AGREEMENT

This Release of Development Agreement is made as of this _____ day of _____, 2010, by the Town of Tyngsborough, acting by and through its Board of Selectmen (the "Selectmen") and Planning Board (the "Planning Board").

WHEREAS, the Town of Tyngsborough, Massachusetts, by its Selectmen and Planning Board, and Paul E. Guaraidi and Francis D. Burke, as Trustees of Vesper Properties I Trust ("Vesper Properties") entered into that certain Development Agreement dated November 31, 1987 and recorded with the Middlesex North District Registry of Deeds at Book 4499, Page 264 (the "Development Agreement") in connection with the proposed development of a certain parcel of land in Tyngsborough, Massachusetts consisting of approximately 130 acres situated on the easterly side of Westford Road and the southerly side of Middlesex Road (the "Land");

WHEREAS, the proposed development, as contemplated in the Development Agreement, was never fully completed and on October 30, 2000, Vesper Properties conveyed the unimproved portion of the Land, consisting of approximately 102 acres, more or less, to Sycamore Networks Real Estate, LLC ("Sycamore") by a deed recorded with said Registry of Deeds at Book 11142, Page 333 (the "Sycamore Parcel").

WHEREAS, as a result of the abandonment of the proposed development, as contemplated in the Development Agreement, and the subsequent conveyance of the Sycamore Parcel, the Selectmen and the Planning Board believe it is in the best interest

of the Town of Tyngsborough that the Sycamore Parcel be released from the terms, conditions and provisions of the Development Agreement.

NOW THEREFORE, the undersigned, being a majority of the Selectmen and the Planning Board, hereby release the Sycamore Parcel from all of the terms, conditions and provisions of said Development Agreement, effective immediately.

Executed as a sealed instrument as of the date first written above.

BOARD OF SELECTMEN OF THE
TOWN OF TYNGSBOROUGH

PLANNING BOARD OF THE
TOWN OF TYNGSBOROUGH

A Majority Thereof

A Majority Thereof

COMMONWEALTH OF MASSACHUSETTS

County of _____, ss.

_____, 2010

Before me today the undersigned, _____, one of the members of the Town of Tyngsborough Board of Selectmen named above who is personally known to me or otherwise proved to me through other satisfactory evidence of identification, which was _____, to be one of the persons whose name is signed on the preceding document, and acknowledged to me that he/she signed it voluntarily for its stated purpose on behalf of the Town of Tyngsborough Board of Selectmen.

Notary Public

My Commission Expires:

COMMONWEALTH OF MASSACHUSETTS

County of _____, ss.

_____, 2010

Before me today the undersigned, _____, one of the members of the Town of Tyngsborough Planning Board named above who is personally known to me or otherwise proved to me through other satisfactory evidence of identification, which was _____, to be one of the persons whose name is signed on the preceding document, and acknowledged to me that he/she signed it voluntarily for its stated purpose on behalf of the Town of Tyngsborough Planning Board.

Notary Public

My Commission Expires:

DEVELOPMENT AGREEMENT

This Development Agreement ("Agreement") is made as of this ____ day of _____, 2010, by and between the Town of Tyngsborough (the "Town"), acting by and through its Board of Selectmen (the "Selectmen"), and Westford Road Development, LLC (the "Developer").

RECITALS

WHEREAS, the Developer has entered into an agreement with Sycamore Networks Real Estate, LLC ("Sycamore") to acquire a certain parcel of land in Tyngsborough, Massachusetts, consisting of approximately 102 acres, more or less, situated easterly of Westford Road and southerly of Middlesex Road, said parcel being more particularly described in a deed recorded with the Middlesex North District Registry of Deeds at Book 11142, Page 333 (the "Parcel");

WHEREAS, if, as and when the Developer consummates the transaction to purchase the Parcel from Sycamore, the Developer proposes, subject to being able to obtain all necessary permits and approvals, to construct on the Parcel a modified life-style facility known as Tyngsborough Commons, consisting of approximately one hundred twenty-six thousand (126,000) square feet of office and/or retail building space, as well as approximately one hundred and seventy (170) two bedroom condominium units ("Tyngsborough Commons");

WHEREAS, if, as and when the Developer consummates the transaction to purchase the Parcel from Sycamore, the Developer proposes, subject to being able to obtain all necessary permits and approvals, to construct on the Parcel a two hundred thousand (200,000) square foot industrial office building known as Potash Hill Office Park ("Potash Hill Office Park") (Collectively, Tyngsborough Commons and Potash Hill Office Park shall be referred to herein as the "Proposed Development");

WHEREAS, the Proposed Development is anticipated to significantly increase and further diversify the Town's tax base, as well as provide employment and other substantial benefits to the Town;

WHEREAS, the Developer and the Town mutually desire and have been cooperating to expedite the Proposed Development of the Parcel in order to recognize the anticipated benefits that the Proposed Development will afford the Town;

WHEREAS, in order to alleviate any burden on Town services associated with the Proposed Development, the Developer has agreed, subject to the terms and conditions set forth herein, to pay to the Town certain development fees;

NOW THEREFORE, for good and valuable consideration, the sufficiency and receipt of which are hereby acknowledged, the Town and the Developer hereby agree as follows:

1. The Developer shall, upon the terms and conditions set forth in this Agreement, pay to the Town a fee in connection with the completion of each component of the Proposed Development as follows:
 - a. The Developer shall pay to the Town a one-time fee equal to twenty-five cents (\$0.25) per square foot of office and/or retail and/or industrial building space constructed as part of the Proposed Development (the "Business Development Fee"). In no event shall the total amount of all Business Development Fees exceed the sum calculated as the total amount of square feet of all building space used solely for office and/or retail and/or industrial purposes constructed at the Parcel multiplied by twenty-five cents (\$0.25). (Based on the current specifications of the Proposed Development, there will be approximately three hundred twenty-six thousand (326,000) square feet of office and/or retail and/or industrial building space constructed on the Parcel, resulting in total Business Development Fees of \$81,500.00.)
 - b. The Developer shall also pay to the Town a one-time fee equal to three hundred dollars (\$300.00) per residential condominium unit constructed as part of the Proposed Development (the "Residential Development Fee"). In no event shall the total amount of all Residential Development Fees exceed the sum calculated as the amount of residential condominium units constructed at the Parcel multiplied by three hundred dollars (\$300.00). (Based on the current specifications of the Proposed Development, there will be one hundred seventy (170) residential condominium units constructed on the Parcel, resulting in total Residential Development Fees of \$51,000.)
2. The Business Development Fee associated with each square foot of office and/or retail and/or industrial building space shall be due and payable by the Developer to the Town within thirty (30) business days upon the lease or sale of each such square foot of office and/or retail and/or industrial building space to a third-party lessee or purchaser.
3. The Residential Development Fee associated with each residential condominium unit shall be due and payable by the Developer to the Town within thirty (30) business days after the conveyance of each such residential condominium unit to a third-party purchaser.
4. All payments due and payable under the terms of this Agreement shall be made to the Town and delivered to the office of the Town Treasurer in lawful money of the United States of America. Each payment shall be accompanied by a certificate from the Developer stating:
 - a. The amount paid therewith;
 - b. The method of calculation of the payment; and
 - c. The location and number of the office, retail, or industrial space or residential condominium unit for which the payment is being made.

5. For each payment made by the Developer to the Town, the Town Treasurer shall issue, within thirty (30) business days, a receipt indicating that the payment set forth in the certificate has been made. Such receipt shall be conclusive and final evidence that such payment was timely made in accordance with the terms of this Agreement, and that no further payment shall be due in connection with said office, retail, or industrial space or residential condominium unit.
6. The Developer's obligation to pay any and all fees under this Agreement is contingent upon (i) the Developer consummating its agreement with Sycamore and taking title to the Parcel, and (ii) the Developer obtaining the necessary permits and approvals to construct the Proposed Development. In no event shall the Developer be obligated to pay any Business Development Fees, Residential Development Fees, or any other fees to the Town in the event that the Developer does not take title to the Parcel or is unable to obtain the necessary permits and approvals to construct the Proposed Development.
7. In no event shall this Agreement, or any notice or memorandum hereof, be recorded with any registry of deeds unless and until such time as (i) the Developer takes title to the Parcel, and (ii) the Developer and the Town agree, in a mutually executed written instrument, that it is in the best interests of the parties hereto to record this Agreement or a notice or memorandum hereof.
8. Any written notice, request or demand required or permitted by this Agreement shall, until either party shall notify the other in writing of a different address, be properly given if sent by certified or registered class mail, postage prepaid, and addressed as follows:

If to the Developer: Westford Road Development, LLC
c/o Walter K. Eriksen, Jr.
315 Middlesex Road, Unit 3
Tyngsboro, MA 01879
FAX (978) 649-3540

w/ a copy to: Kevin Eriksen, Esq.
Deschenes & Farrell, P.C.
One Billerica Road
Chelmsford, MA 01824
FAX (978) 250-0057

If to the Town: Town of Tyngsboro, Board of Selectmen
Town Offices
25 Bryants Lane
Tyngsboro, MA 01879
FAX (978) _____

w/ a copy to:

9. This Agreement shall be binding upon and inure to the benefit of the heirs, executors, administrators, successors and assigns of the parties hereto.
10. Notwithstanding any provision of this Agreement to the contrary, it is expressly understood that this Agreement shall be non-recourse and that the extent of any and all liability on the part of the Developer hereunder is expressly limited to its interest in the Proposed Development. Furthermore, the Town expressly agrees (i) to look solely to such property and improvements making up the Proposed Development in satisfaction of the obligations of the Developer hereunder, and (ii) that no agent, employee, officer, manager or member of the Developer shall have any personal liability for any of the obligations of the Developer under this Agreement.
11. This Agreement shall be construed and interpreted in accordance with the laws of the Commonwealth of Massachusetts.
12. This Agreement may be executed in two (2) or more counterparts, each of which shall be deemed an original and all collectively but one and the same instrument. This Agreement may only be modified or amended by a written instrument executed by all parties hereto.
13. This Agreement terminates and supersedes all prior understandings or agreements on the subject matter hereof.

Executed as a sealed instrument as of the date first written above.

BOARD OF SELECTMEN OF THE
TOWN OF TYNGSBOROUGH

WESTFORD ROAD DEVELOPMENT, LLC

Walter K. Eriksen, Jr., Manager

James Patierno, Manager

A Majority Thereof

COMMONWEALTH OF MASSACHUSETTS

County of _____, ss.

_____, 2010

Before me today the undersigned, _____, one of the members of the Town of Tyngsborough Board of Selectmen named above who is personally known to me or otherwise proved to me through other satisfactory evidence of identification, which was _____, to be one of the persons whose name is signed on the preceding document, and acknowledged to me that he/she signed it voluntarily for its stated purpose on behalf of the Town of Tyngsborough Board of Selectmen.

Notary Public

My Commission Expires:

COMMONWEALTH OF MASSACHUSETTS

County of _____, ss.

_____, 2010

Before me today the undersigned, Walter K. Eriksen, Jr., one of the managers of Westford Road Development, LLC who is personally known to me or otherwise proved to me through other satisfactory evidence of identification, which was _____, to be one of the persons whose name is signed on the preceding document, and acknowledged to me that he signed it voluntarily for its stated purpose on behalf of Westford Road Development, LLC, a Massachusetts limited liability company.

Notary Public

My Commission Expires:

MASSACHUSETTS DEPARTMENT OF HIGHWAYS
RIGHT OF WAY BUREAU
NOTICE OF TAKING

2010 OCT 15 PM 1:14
CLERK OF THE SUPERIOR COURT
TYNGSBOROUGH, MA.
Date: 10/4/2010

To: Town of Tyngsborough

Notice is hereby given that by an Order of Taking dated 9/15/2010, certain land and/or rights in land were acquired by the Department of Highways for State Highway purposes in the City/Town of Tyngsborough. The Order of Taking was recorded on 10/4/2010 in the Middlesex County Registry of Deeds, located in Lowell. Plans showing the State Highway and the land acquired are on file in that Registry, and in the Boston office of the Department of Highways, Room 6160. A copy of the plan showing the parcel(s) acquired is enclosed.

For damages to the parcel(s) of land described below, the Department of Highways has awarded to the supposed owner(s) of the land,
Town of Tyngsborough

The sum of **\$0.00**, subject to proof of title. The Department of Highways reserves the right to amend the Award at any time prior to payment, for good cause. This payment may be reduced if the City or Town exercises its right to make a claim for outstanding real estate taxes or other municipal liens.

The right of damages vested on **10/4/2010**, the date on which the Order of Taking was recorded in the Registry of Deeds above-described, and payment will be tendered to you within sixty (60) days of that date.

Land and/or rights in land taken (the nature of which may be identified from the list on page 3) are shown on the plan described in the Order of Taking, and are as follows:

<u>Parcel No.</u>	<u>Land Area</u>	<u>Interest Taken</u>
14-1	8,850 sf	Fee Taking
14-18-T	10 sf	Fee Taking
14-3-T	8,794 sf	Fee Taking
14-8-T	6,691 sf	Fee Taking
14-9-T	6,585 sf	Fee Taking
14-D-2-F	16,809 sf	Drainage Easement
14-D-3-F	2,063 sf	Drainage Easement
14-DS-1-T	3,431 sf	Perm. Easement

Notice of Taking
Page 2 of 3

Owner(s) and /or persons in possession are hereby given thirty (30) days from the date of this Notice of Taking to vacate the parcel(s) which have been acquired, and to remove their personal property from these parcel (s).

The law provides that a person entitled to damages may accept payment in full settlement or payment pro tanto, from the Department of Highways. A pro tanto payment is one which is accepted and collected without prejudice to, or waiver or surrender of, any right to bring a legal action for a larger sum in court. The law provides a person whose property has been taken may petition for the assessment of damages to the Superior Court for the County in which the property was situated within three (3) years after the right to damages has vested.

The Department of Highways will make available a check for the payment of said damages, and this check will be tendered to you by mail.

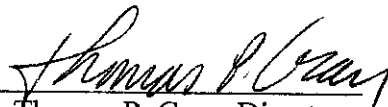
If a representative of the Department of Highway's Right of Way Bureau (located at 10 Park Plaza – Room 6160, Boston, MA 02116) has not already called on you, one will do so in order to discuss with you the subject of damages and other matters pertaining to the acquisition of your property, including the Department's relocation assistance, and relocation payments, programs.

Before any payment can be made a "W-9" Tax Reporting Form, and a release of all encumbrances (including private mortgages, leases, inheritance tax lien, betterments, tax takings, etc.) must be received by this Bureau. For mortgages held by Massachusetts banks, the mortgagee will also be listed on the award check.

Questions regarding this Notice of Taking should be directed to (617) 973-7900.

DEPARTMENT OF HIGHWAYS

By: _____


Thomas P. Gray, Director
Right of Way Bureau

ABBREVIATIONS FOR FEE TAKINGS

1	Taken in fee on behalf of the Commonwealth
1-C	Taken in fee on behalf of the City
1-T	Taken in fee on behalf of the Town
1-U	Taken in fee (ordinarily conveyed to utility)
1-RR	Taken in fee on behalf of the Railroad
1-X	Excess Land
M-1	Maintenance Area
D-1-F	Drainage Taking in Fee
C-1-F	Channel Taking in Fee
UR-1	Uneconomic Remainder
VP-1	Vehicular Parking
CVP-1	Commuter Vehicular Parking
FRL-1	Functional Replacement Land
RL-1	Replacement Land
WLR-1	Wetland Replacement
FP-1	Flood Plain
SF	Scenic Fee (Open Space)

ABBREVIATIONS FOR EASEMENT TAKINGS

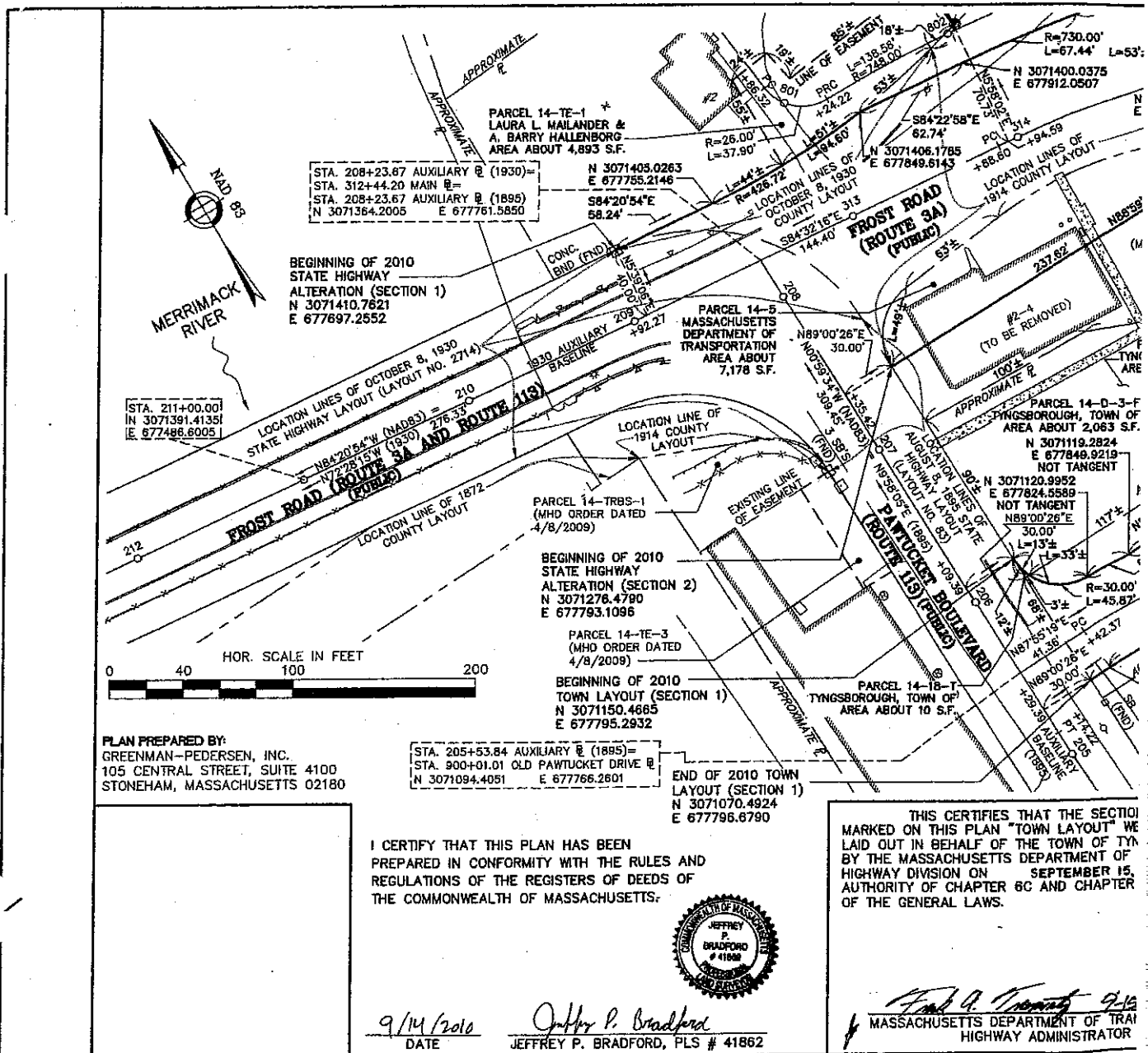
AT-1	Access Taking
B-1	Bridge
BA-1	Bridge Abutment
C-1	Channel
CD-1	Channel Drainage
CL	Construction Limitation
D-1	Drainage
DS-1	Drainage and Slope
E-1	Highway Easement (Portion of Right-of-Way)
E-RR-1	Easement on behalf of Railroad
FB-1	Footbridge
FPE-1	Flood Plain Easement
FS-1	Fight of Steps
GD-1	Gravel Dike
GR-1	Guard Rail
GU-1	General Utility
HS-1	Highway Sign
HL-1	Highway Light
PL-1	Power Line
R-1	Right-of-Way taken on behalf of owner of land whose rights of access hereto and egress therefrom would otherwise be inoperative due to the limited access provisions
R-B-1	Road and Bridge
R-B-S-1	Road, Bridge and Slope
RD-1	Drainage in connection with a Right-of-Way
RR-1	Railroad Bypass
R-RR-1	Road and Railroad Bypass
RS-1	Slope in connection with a Right-of-Way
RT-1	Temporary Easement for removal or demolition of certain structures
S-1	Slope
SE	Scenic Easement (Open Space)
SRE-1	Temporary Sign Removal
SS-1	Sanitary Sewer
SW-1	Sidewalk
SW-S-1	Sidewalk and Slope
TB-1	Tie Back
TE-1	Temporary Easement for various purposes
TR-1	Temporary Road
U-1	Utility Easement (Ordinarily conveyed to a utility company)
W-1	Wall
WLR-1	Wetland Replacement
WM-1	Watermain
WMD-1	Watermain and Drainage
WQM-1	Water Quality Monitoring Station
WS-1	Wall and Slope

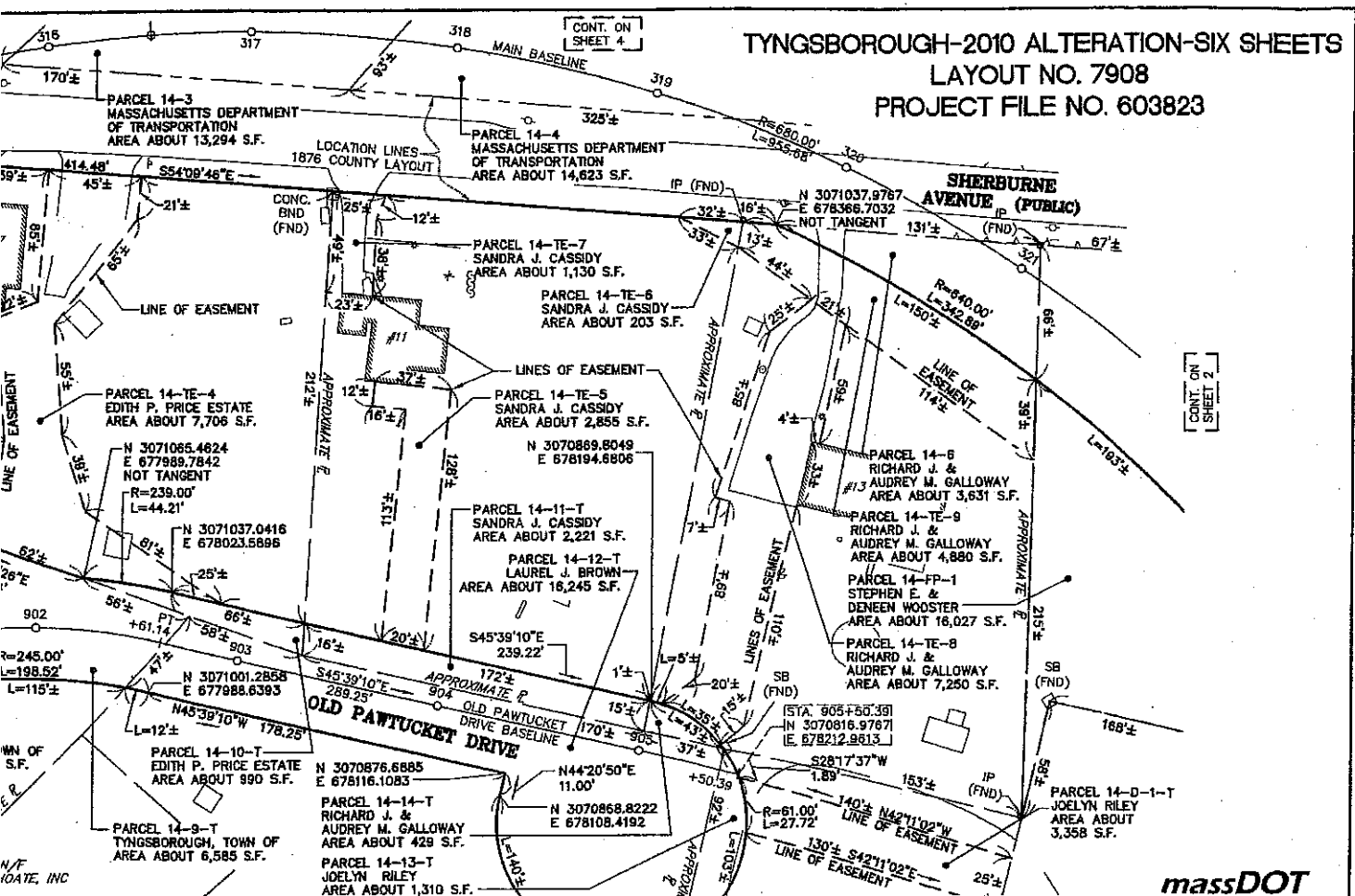
ABBREVIATIONS FOR DISPOSITION OF STATE PROPERTY

LL	Land Lease (Portion of State Highway)
LR	Land Lease (Not part of State Highway)
LU	Land Use (Portion of State Highway)
LS	Land Sale (Portion of State Highway)
SR	Land Sale (Not part of State Highway)
LA	Land Acquired by Department (usually by deed)

*Notes for Easement Takings

1. Temporary easements are preceded by the letter "T". (For example, TD-1, TS-1, etc.)
2. Easements on behalf of a Town, City, Railroad, or the MDC are followed by the letters "T", "C", "RR", "MDC".
For example, D-1-T, D-1-C, D-1-RR, D-1-MDC, etc.)
3. EG-1. This symbol is used to delineate an area comprising a portion of State Property in which an easement is to be granted.
4. The symbols listed and described above may be preceded by a number prefix. (For example, 1-1, 1-D-1, 2-1, 2-D-1, etc.)
5. The symbols A,B,C, etc. designate "Spot Takings in Fee." The symbols B-11-1, B-11-2, etc. designated "Block Takings in Fee".





THIS CERTIFIES THAT THE LOCATION OF THE STATE HIGHWAY HAS BEEN ALTERED AS SHOWN ON THIS PLAN AT SAID HIGHWAY AS ALTERED WERE LAID OUT UNDER CHARGE OF AS A STATE HIGHWAY BY THE MASSACHUSETTS DEPARTMENT OF TRANSPORTATION, HIGHWAY DIVISION ON SEPTEMBER 15, 2010 IN ACCORDANCE WITH CHAPTER 6C AND CHAPTER 81 OF THE GENERAL LAWS.

Frank A. Tamm 9-15-2010
 MASSACHUSETTS DEPARTMENT OF TRANSPORTATION
 HIGHWAY ADMINISTRATOR

MASSACHUSETTS DEPARTMENT OF TRANSPORTATION
 PLAN OF ROAD IN THE TOWN OF
 TYNGSBOROUGH
 MIDDLESEX COUNTY
 ALTERED AND LAID OUT AS A STATE HIGHWAY
 BY THE MASSACHUSETTS DEPARTMENT OF TRANSPORTATION, HIGHWAY DIVISION
 SEPTEMBER 15, 2010
 SCALE: 40 FEET TO THE INCH

Thomas A. D. Pardo, P.E.
 CHIEF ENGINEER

LAYOUT NO. 7908

Selectman's Monthly Status Report

Report Start Date: September 1, 2010		Report End Date: September 30, 2010	Chief William F. Mulligan
Short-Term Action Items	Status	Outcomes/Issues	
Dispatch Grant 2011	Complete	We have been approved for the dispatch grant for fiscal year 2010-11 we can use this grant for dispatcher salary as well as equipment. We believe it will be approximately \$26,000. I have requested a transfer of these funds from the BOS	
Reserve Officer Testing	On Going	We will have three new Reserve Officers trained and in service by the end of September. We will have three Reserve officers in training starting in October.	
Crime Information	On Going	We continue to have Residential B&E both in the home and vehicles	
Reserve Officer Program	On Going	We will have each Reserve Officer working 8 hours a month as volunteer hours. Once we have all the Reserve Officer's trained they will be giving 100 hours free service a year each. This will be 1000 hours a year of free service to the community.	
Fire Arms Training	On Going	All officers of the department are going through both handgun and rifle training. This will be completed by the end of October 2010	
Improvements to the Police Building	On Going	We have had the outside vestibule painted we are also looking at replacing the lower front siding of the building up to twelve feet. This has not been replaced for 22 years. This will improve the appearance of the building.	
Regional Dispatch Report Due	On Going	The Regional Dispatch report was to be due this June. I and the committee have reviewed the draft report. They have extended the date for the final report to be due in September 2010 We will be reviewing the final report on September 14, 2010 The final report is still in progress we have not seen the final report as of the end of September 2010.	
Long-Term Goals	Progress	Issues	
State Accreditation	On going project	All the Policies & Procedures that are completed are reviewed at the department's monthly staff meetings and the monthly e-board meetings with the police union. They are then sent to the Town Attorneys for their review before being sent to BOS for approval.	
Neighbor to Neighbor	Go going	I will be writing about crime issues in town	
Police Memorial	Complete	Attending the Mass Police Memorial with Selectperson Coughlin Deputy Chief Burrows we had a very good turn out of officers. Chief Pelletier and Officer Georges names were added to the Memorial	
<p>I am on a sub-committee for the Regional Dispatch to review RFP for the study on Regional Dispatch. After this review the sub-committee recommended Winbourne & Costas, Inc a management and technology consultants. They will have their report complete by June 2010. We have continued to meet once each month Winbourne & Costas representatives have interviews dispatchers and personnel at a number of police and fire departments as well as Tyngsborough PD. This in an on going project. They have given Winbourne & Costas and extension until September 2010 to complete final report.</p>			
<p>A Motor Cycle Run was completed to help with the cost of the motor cycle unit. This took place September 18, 2010. The motor cycle run when very well we had over sixty people attending this event great work by the officers involved. COP Hiring Program: WE RECEIVED NOTIFICATION THAT WE WILL NOT BE FUNDED FOR A POSITION. Officer Cote at the Police Academy doing very well.</p>			

TS-1117 9-100 0156

October 4, 2010

To: Ashley O'Neil
Elizabeth Coughlin
Bob Jackson
Richard Lemoine
Rick Reault

2010 OCT -4 PM 3:23

BOARD OF SELECTMEN
TYNGSBORO, MA.

Dear Board of Selectmen;

It has come to my attention that there is an open position on the C.P.C. for a member at large. I am hereby applying for that seat.

I've lived in Tyngsboro all my life, worked for the school system in one capacity or another since 1973, and have been a Special Education Paraprofessional for almost 26 years. I was a member of the committee exploring the second sites for a bridge crossing for 2 years, and despite that experience, am now willing to sit, again, on a town committee ! (I jest...the bridge committee was a wonderful learning experience.)

I have an interest in what goes on in Tyngsboro, and would be honored to be a part of the C.P.C.

Thank you for your time in considering my application.

Sincerely,



Joelyn Riley

978-649-7888

joelynjebb@yahoo.com



Therese Gay <tgay@tyngsboroughma.gov>

interest from Sujatha Meyyappan

Jeffrey Lipsky <jeffrey_lipsky@yahoo.com>

Wed, Oct 13, 2010 at 1:51 PM

To: Therese Gay <tgay@tyngsboroughma.gov>

Hi Therese,

Here's the email Suja sent to me.

Hi,

Good Evening! My name is Sujatha Meyyappan. I live in Tyngsboro. I'm a professional Indian Classical Dancer (Type - Bharathanatyam). I came across this town cultural council and I would very much like to be a part of it and get involved in any ways like performing, helping, organising etc.,

Here are the details about me:

I am a Classical Bharathanatyam dancer – one of India's ancient dance forms. I started learning this dance form when I was 3 years old. I have more than 20 years of experience in learning, performing and teaching this art form. Though I'm a Medical Quality Engineer in profession, I am very dedicated to passing on this traditional art form to next generations. I have completed couple of charity programs in the Massachusetts area and am planning to do more.

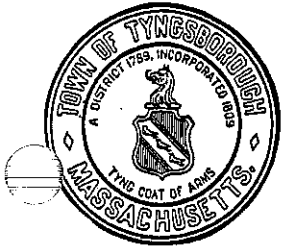
I moved to Tyngsboro in 2004 and I came to know about this town Cultural Council. Being an artist, I felt a strong need to connect myself with Tyngsboro Cultural Council and hence I contacted Jeff Lipsky. After hearing the purpose & goal of Tyngsboro Cultural Council, I'm very excited to be a part of the same as I can be another productive member for any and all upcoming events and happenings for the betterment of Tyngsboro town.

Please let me know if you need more information

Thank You,
Sujatha Meyyappan
12 Overlook Dr ,
Tyngsboro MA 01879

jeFF

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TOWN OF TYNGSBOROUGH
Office of the Town Clerk
Town Hall – 25 Bryants Lane
Tyngsborough, Massachusetts 01879-1003
(978) 649-2300, Ext. 129
jshifres@tyngsboroughma.gov

OCT 14 PM 3:40

CLERK OF THE TOWN
TYNGSBOROUGH, MA.

Joanne Shifres, Town Clerk

Article ?. To see if the Town will vote to adopt Chapter 751 of the Acts of 1911, that will provide workers' compensation coverage for the two full time elected officials or take any other action relative thereto.

Article ? To see if the Town will vote to accept the provisions of MGL Chapter 53:9A that establishes the final date for obtaining blank nomination papers for nomination to town office as forty-eight week day hours prior to the hour on which nomination papers are due or take any other action relative thereto.

Massachusetts State Lottery Commission

60 Columbian Street

Braintree, Massachusetts 02184-1738

Licensing Fax: (781) 849-5656

TIMOTHY P. CAHILL
Treasurer and Receiver General

MARK J. CAVANAGH
Executive Director

October 1, 2010

Town of Tyngsborough
Board of Selectmen
10 Kendall Road
Tyngsboro, MA 01879

Dear Sir/Madam:

The Massachusetts State Lottery is offering certain KENO To Go agents in your community, the opportunity to receive a KENO monitor to display the game. In accordance with M.G.L. c 10 section 27A, as amended, you are hereby notified that a monitor will be offered to existing KENO To Go agents as listed below:

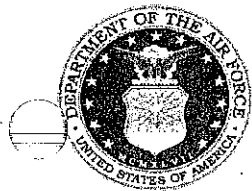
SUN CITY VARIETY
240 LAKEVIEW AVE
TYNGSBORO, MA 01879 1786

If you object, you must do so, in writing, within twenty-one (21) days of receipt of this letter. Please address your written objection to William J. Egan, Jr., General Counsel, Massachusetts State Lottery Commission, 60 Columbian Street, Braintree, MA 02184. Should you have any questions regarding this program or any other issues relative to the Lottery please call me at 781-849-5555. I look forward to working with you as the Lottery continues its efforts to support the 351 cities and towns of the Commonwealth.

Sincerely,

Mark J. Cavanagh
Executive Director

Certified Mail – Return Receipt Requested:
7009 0080 0000 7055 6175



DEPARTMENT OF THE AIR FORCE
AIR FORCE LEGAL OPERATIONS AGENCY (AFLOA)
MEDICAL COST REIMBURSEMENT PROGRAM (MCRP) – REGION 1
2906 TUSKEGEE AIRMEN AVENUE
MCGUIRE AFB, NEW JERSEY 08641
Phone: (609) 754-5009
Fax: (609) 754-5017

2010 OCT -5 PM 1:10

16 September 2010
TYNGSBOROUGH, MA.

"Via Regular Mail"
Tyngsborough High School
36 Norris Road
Tyngsboro, MA 01879-1228

RE: Investigation of Accident

This office recently learned of an accident/incident which resulted in medical treatment for which the United States government assumed some or all of the cost. This office now has responsibility for this claim as a direct result of regionalizing the Medical Cost Reimbursement Program.

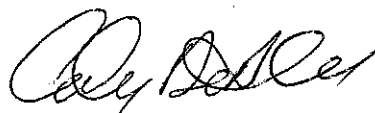
The following information is provided to assist you:

Injured Party: Cote Wade
Air Force Claim Number: MAFB 10-1454
Date of Accident/Incident: 30 Apr 10
Type of Accident: Injured playing kickball in school gym

Pursuant to Title 42 of the United States Code, Section 2651-2653 and/or Title 10 of the United States Code, Section 1095, demand is made for payment of the expenses incurred by the United States Government in connection with the treatment received by the injured party.

If you have an insurance policy that provides coverage for medical costs incurred from the results of this type of accident/incident, you should immediately forward to this office the name, address, telephone number and policy number of your insurance company.

If you have any questions please contact us directly at the above address or call us at 609 754-5009. Thank you for your assistance in this matter.


Cathy DeAbreu
Paralegal Specialist

**Massachusetts
Collectors and Treasurers
Association**

2010 OCT -5 PM 1:11

TYNGSBOROUGH, MA.

Michael J. Hanlon, Jr. - Executive Director
510 King Street
Littleton, MA 01460

Phone: (978) 952-6644
Fax: (978) 952-6655
E-mail: masscta@aol.com
www.masscta.com

October 01, 2010

Honorable Board of Selectmen
Town of Tyngsborough
25 Bryants Lane
Tyngsborough, MA 01879

Dear Members of the Board:

We are pleased to advise you that the Board of Certification of this Association has renewed for an additional period expiring December 31, 2015, the Certification of the Collector of your town, Gene Spickler.

Candidates are eligible for renewal of their Certification as a Certified Massachusetts Municipal Collector every five years. Renewal is granted only to those previously Certified candidates who continue to attend the Annual School of this Association at the University of Massachusetts at Amherst in August of each year and successfully complete the required courses in municipal law, finance and administration.

We want to congratulate and thank the good people of your town for supporting the efforts of their Treasurer, which culminated in this achievement and honor. We are confident they will continue to support such efforts as we are equally confident they agree, the better informed and more knowledgeable the public official, the better the community is served.

With all good wishes,

Sincerely,



Michael J. Hanlon, Jr., Executive Director
Massachusetts Collectors and Treasurers Association

MJH/dfo

YOU'RE INVITED

Northern Middlesex Council of Governments



MARK C. HILSTEN
TYNGBOROUGH, MA.

47th ANNUAL MEETING

Thursday, October 28, 2010
UMASS Lowell Inn & Conference Center
50 Warren Street
Lowell, MA 01852

Program

Council Meeting - 5:00 P.M.
Reception - 6:00 P.M.
Dinner Buffet - 7:00 P.M.
Speaking Program - 7:30 P.M.

Guest Speaker
Marty Meehan, Chancellor
UMASS Lowell



-----cut here and mail

NMCOG 47th ANNUAL MEETING

Please RSVP by October 20, 2010

Name _____
Agency/Community _____
Additional Guests _____

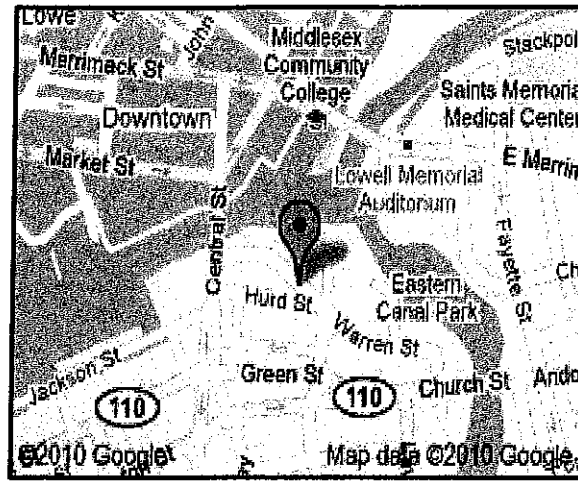
\$35.00 per person Number of Reservations _____ Amount Enclosed \$ _____

Make checks payable to: Northern Middlesex Council of Governments

Mail to: Northern Middlesex Council of Governments, 40 Church Street, Suite 200, Lowell, MA 01852-1286

You may also RSVP via Phone: 978-454-8021, ext. 11 Facsimile: 978-454-8023 or RSVP online at: <http://www.nmcog.org>

UMASS Lowell Inn & Conference Center



Directions

The **UMASS Lowell Inn & Conference Center** is located at 50 Warren Street in Lowell. There is ample free parking, as well as a parking garage adjacent to the Conference Center.

From the Lowell Connector

- Follow the Lowell Connector to the end, Exit 5C. At the lights take a left onto Gorham St. After the third traffic light get into the right lane and prepare to take your next right onto Church St.
- Take the first left onto George St. which will take you into our parking lot.

From Route 93 North (Boston, Logan Airport)

- Follow Route 93 North to Exit 44B (495 South).
- Take Exit 35C For the Lowell Connector and follow Lowell Connector directions above.

From Route 93 South

- Follow 93 South to Exit 44. Take Exit 35C for the Lowell Connector and follow Lowell Connector directions above.

From Route 128 & 95

- Exit at Route 3 North to Exit 30, to the Lowell Connector and follow Lowell Connector directions above.

From 495

- Take Exit 35C for the Lowell Connector and follow Lowell Connector directions above.

From Route 3

- Take Exit 30 for the Lowell Connector and follow Lowell Connector directions above.

E. L. Harvey & Sons, Inc.

We do it all...

Waste Removal
Recycling Services
Organics Collection
Custom Compaction Systems
Front-End Services
Roll-Off Services
Construction Material Recycling
LEED Reporting
LEED Accredited Staff
Recycling Education Programs
On-site Shredding Services
Electronics Destruction
Product Destruction
Certified Confidential Document Destruction
Residential & Commercial Cleanouts

harvey
Since 1911

Almost a
century
of progress
and still
green.

68 Hopkinton Road
Westborough, MA 01581
1-800-321-3002
www.elharvey.com



Let **harvey** LEED the way!

Harvey Facility

Founded in 1911

Commingled
Bottles & Cans

Westboro
Transfer & Recycle

NEW EXPANSION

Liquid
Destruction

Dock
#4

Scale #2

Dock
Side #3

Dock #3

Fabrication
and Repair

Log
Dock #2

Lower
Dock #2

Maintenance
Garage

Scale and
Safety Office

Paper
Recycling

68 Hopkinton Road, Westboro



Serving the business community
of Massachusetts and
Southern New Hampshire

E. L. Harvey & Sons started recycling in the early 1940's. Materials included cardboard, newspaper, rags, ferrous and non-ferrous metals.

Scale - State certified on-site scale.

Environmental and Safety Department

Building 2 - Paper Recycling Building - high grade papers, newspaper, office paper, electronics recycling, and our plant-based confidential destruction processing is done in this building.

Building 3 - State approved Transfer Station - Fabrication Department for installations and equipment repair.

Building 4 - Material Recovery - sorting paper, plastic, wood, metals. LEED reporting available.

Building 5 - Construction Material Recycling - State-of-the-art equipment processes construction material for recycling. LEED reporting available.

Main Office - Corporate offices where a Harvey is always available.

Maintenance Garage - Repair and maintenance of approximately 250 vehicles.

Tyngsboro - Satellite facility serving Northern Massachusetts and Southern New Hampshire.

Behind every great company is a **harvey**.



E.L. Harvey & Sons, Inc. since 1911



YOU ARE INVITED TO E.L. HARVEY AND SON'S WASTE RECYCLING FACILITY

FALL OPEN HOUSE

Come join us for a free BBQ lunch and a tour of our recycling campus. Tours include a brief video, and a walk through our material recycling facility, paper shredding and document destruction facility, municipal waste facility, and our construction recycling facility!

When: Thursday, October 21, 2010 (rain or shine)

Time: 12-4pm (tours and lunch provided continuously)

Where: 68 Hopkinton Road, Westborough, MA 01581

Door Prizes! Patriots - Bruins - Celtics - Rounds of Golf!

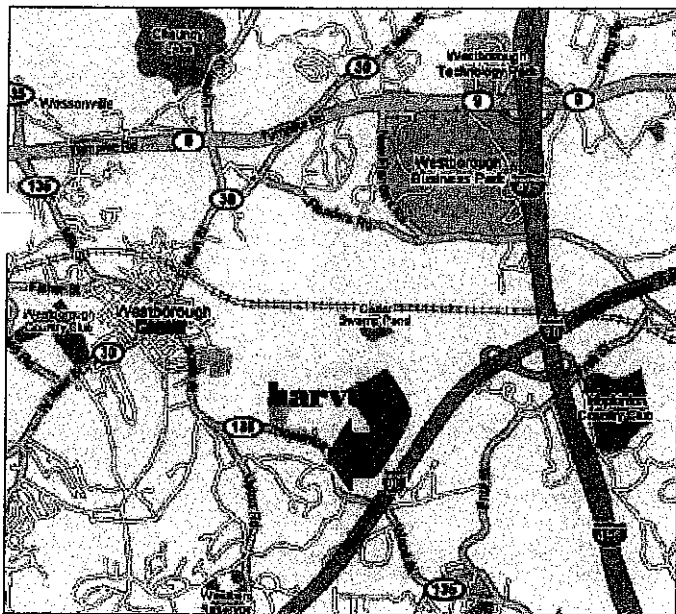
RSVP by September 30th to Greg Bartolini 508-726-4171 or gbartolini@elharvey.com

SAFETY FIRST!

For safety purposes we request that you wear appropriate foot wear. Guests should not wear flip-flops, sandals, high heels, or open toe shoes.

You will be provided with a vest and safety glasses. The vest and safety glasses must be worn at all times during the tour. For more information please contact Greg Bartolini at 508-726-4171.

Thank you



E. L. Harvey & Sons, Inc.
68 Hopkinton Road
Westborough, MA 01581
1-800-321-3002
www.elharvey.com

Driving Directions to

E.L. Harvey & Sons, Inc. Facility

Driving East or West on the Mass Pike: Take Exit 11A off the Mass Pike and merge onto Route 495 North. Take Westborough Exit 23B to Route 9 West. Travel approximately two miles and take the Route 135 East toward Westborough Center. At the Center keep the rotary on your left and continue on Route 135 East towards Hopkinton/Framingham. E.L. Harvey & Sons is two miles from the center of Westborough on the left.

Driving South on Route 495: Take Westborough Exit 23B to Route 9 West. Travel approximately two miles and take the Route 135 East toward Westborough Center. Continue on Route 135 East towards Hopkinton/Framingham. E.L. Harvey & Sons is two miles from the center of Westborough on the left.

Driving North on Route 495: Take Hopkinton exit 21A, West Main Street. Take a left at the set of lights and then your immediate right onto Elm Street. Go to the end of Elm Street and turn left onto Route 135 West. It is approximately four miles to the facility. E. L. Harvey & Sons is on your right.

TYNGSBOROUGH SCHOOL COMMITTEE MEETING
(Tyngsborough Town Hall Community Room)

September 21, 2010

The meeting was called to order by Chair Wennerstrom at 7:00 p.m. Those present were Burt Buchman, Collin Manzo, Herb Desrosiers, Shaun McCarty and John Hickey.

1. Call to Order

Also present were Superintendent Ciampa, Business Administrator Joe Messina and Student Representative Katelyn O'Connor.

Chair Wennerstrom read the quote by Donald McGannon "Leadership is action, not a position". She noted that they were elected to a leadership position, but it really is action.

School Committee members, Superintendent Ciampa, Business Administrator Joe Messina, Student Representative Katelyn O'Connor and Administrative Assistant Sue Harvey introduced themselves.

Chair Wennerstrom called for the approval of the Minutes.

2. Approve the Minutes
of September 9, 2010, and
Executive Session of
September 9, 2010

Burt Buchman made a motion, seconded by Herb Desrosiers, to approve the Minutes of September 9, 2010 and Executive Session of September 9, 2010.

VOTE: UNANIMOUS 5, Yea (Chair Wennerstrom) 0, Nay 1, Abstain (Mr. McCarty)
(Mr. Buchman)
(Mr. Desrosiers)
(Mr. Hickey)
(Mr. Manzo)

Chair Wennerstrom acknowledged the following correspondence:

- Neighbor-to-Neighbor article has been submitted.
- DESE Commissioner's Letter - MCAS Growth Data

3. Correspondence

- A. Neighbor-to-Neighbor Article
B. DESE Commissioner's Ltr.-MCAS Growth Data

Superintendent Ciampa talked about Student Growth Percentile (SGP). These are percentiles calculated by comparing one student's history of MCAS scores to the scores of all the other students in the state with a similar history of MCAS scores.

None at this time.

4. Visitors' Comments and Questions

Katelyn O'Connor acknowledged the September "Students of the Month":

- Melissa Dery
- Rita Bulman
- Zachary Bouchard
- Malcolm Joy

5. Share the Success

She also noted that they have great fall co-curricular opportunities for the Middle School and High School. She read the list of co-curricular activities/clubs:

High School

Volleyball
Strategic Games
Chess
Anime
Photography
Volleyball
Debate
Math, Robotics, Science
Open Gym
Ping Pong

Middle School

Drumline
Scrabble
Ukrainian Egg Art
Faberger Egg
Volleyball
Homework
Knitting
FLEX/Spanish
Yearbook
Social
Seven Serves
Theater
Fitness

She also congratulated the High School Football Team for winning the game against North Middlesex and the Soccer Team.

None at this time.

6. Policy

Superintendent Ciampa notified the Committee of the following resignation:

- Elizabeth Sullivan Network Manager

7. Personnel

A. Notification of Resignation:
-Elizabeth Sullivan
Network Manager

He asked the Committee if they should repost the position.

The Committee agreed that they should repost the position.

Burt Buchman noted that the Debt Exclusion vote lost by 256 votes. Those on the Strategic Financial Planning Committee worked on getting a lot of information out.

8. Standing Committee Reports

A. Strategic Financial Planning Committee

He noted that they will meet on Thursday night to discuss the three (3) year projections and noted that this Town does not have an expense problem, but a revenue problem. He thanked everyone who helped in spreading the word. Unfortunately, they have lost on two (2) overrides and one (1) debt exclusion. It will be difficult to find ways to raise those funds.

Joe Messina noted that most of what he has done on the draft three (3) year projections has stayed the same.

Superintendent Ciampa discussed the following:

Changes from Existing Staff

Social Studies - THS

SPED Para - TES

Learning Center - THS

Student Population Shifts

Changes from Current

SPED Tuition Increases

Curriculum Cycle

Fee Reductions

HS Accreditation

Some discussion was held.

Burt Buchman made a motion, seconded by Shaun McCarty, to adopt the draft three (3) Year Projections-School Committee Budget to help the Strategic Financial Planning move forward.

VOTE: UNANIMOUS 6, Yea 0, Nay 0, Abstain

Herb Desrosiers noted that the Policy Committee has a meeting scheduled for October 6, 2010 @ 6:00 p.m. at which time they will discuss transportation/parking issue. He noted that they need to have two (2) separate committees on:

B. Policy Committee

- Bullying Bill
- Paraprofessional Job Description

Superintendent Ciampa noted that they have begun to look at the Bullying Legislation and establish timelines/guidelines. Sarah Lewenczuk has been working with Kate Burnham and Kerry Cavanaugh on this and they presented to the staff today. Sarah has reached out to other districts and their timelines are ahead of other schools. She will be attending a district wide

workshop and is looking to form a group and will then follow up with the Policy Committee.

Herb Desrosiers noted that in regards to those two (2) committees, he will volunteer to serve on them.

Chair Wennerstrom noted that the transportation is off and running well. C. Transportation Advisory Board

Joe Messina noted that there is a tentative meeting scheduled for September 28, 2010 @ 7:00 p.m. He is optimistic that the trend will continue. Generally, what they have been doing if an issue comes up, they have asked Dee Bus to address it themselves.

Burt Buchman noted that the Negotiations Committee met on August 30, 2010 and the Paraprofessionals reached a tentative agreement which they voted on last week. On the salary side, the Union agreed to freeze their steps for the year and at the end of the year, will add \$500 to their salaries. They worked through a lot of language regarding reduction in force (RIF) and evaluations. Part of the agreement is setting up a committee made up of a School Committee member, paraprofessionals, school designee in terms of recalculating seniority lists, job descriptions, minimal requirements, classifications. He noted that this is a one year contract. D. Negotiations Committee

Burt Buchman made a motion, seconded by Herb Desrosiers, to approve the Unit D (paraprofessionals) tentative agreement for one year and to authorize the Chair to sign that agreement.

VOTE: UNANIMOUS 6, Yea 0, Nay 0, Abstain

Burt Buchman thanked the Negotiation Team, Dr. Lockwood, Superintendent Ciampa, Joe Messina, Herb Desrosiers and Hillari Wennerstrom.

John Hickey noted that the Committee met on 9/16/10 and did some committee organization/housekeeping. They went through the fall team numbers - collection rates are way up, but participation is down. JV field hockey and freshman football numbers are down. He noted that E. Athletic Committee

the spring projections look good. The got feedback from the community about field usages and gate entry fees (*DCL mandated amount*). Discussion was held on the FOTHSA - It was noted that it is time to look for new leadership because those folks have been doing this a long time. What they do and how much they do is very important. He noted that they have not scheduled another meeting.

Herb Desrosiers noted that the Technology Committee has a meeting scheduled for September 29, 2010 at 6:00 p.m. in the Superintendent's Conference Room.

F. Technology Committee

Collin Manzo noted that the first meeting is scheduled for September 28, 2010 @ 6:00 p.m. in the Superintendent's Conference Room. They are going to look at purposes for the Early Childhood Center. They also need to discuss what needs to be done at that building (maintenance, etc.).

G. TECC Building Study Committee

Chair Wennerstrom noted that last week, they finally finally received information on what they actually have in the account.

9. Unfinished Business

A. TES Remediation Update

George Trearchis discussed his list of prioritized items:

1. HVAC	\$120,000
2. UST (Under ground storage tank)	\$ 35,000
3. FLOORING	\$ 62,000
4. AS-BUILT PLANS	\$ 8,500
TOTAL	\$261,500

**Estimated totals are partially developed from both the AEC & Goode Reports.*

On the prioritized sheet it stated that an additional \$100,000+ is to be used for future considerations: plumbing, roadway and roofing or to supplement the costs of the above mentioned items as estimates for work are developed.

Discussion was held on these items and Mr. Trearchis was thanked for his review of the items.

George Trearchis noted that there is a meeting scheduled for September 28, 2010 to discuss the roadway. Those attending are the Town Administrator, representatives from the Highway Department, Conservation Committee,

B. TES Roadway Update

Board of Health, School Committee, and Superintendent Ciampa. They will discuss the remedies and impact the problem may have on some of the community as well as their roadway.

Chair Wennerstrom noted that they need to discuss the Warrant Articles that they may need to submit for the fall Town Meeting. Medicaid reimbursement is one Article and the need for a truck for the maintenance department needs to be discussed.

10. New Business
A. Town Warrant Articles

Superintendent Ciampa noted that \$10,700 was allocated at spring town meeting for a scrubber. They can ask on town floor that the money allocated for the scrubber be moved over to offset costs of the truck or they can move forward for the whole amount of the truck.

The Committee reviewed the information on the lease/purchase of the truck.

Purchase Price	\$26,515.00
Municipal Lease Purchase Option	
3 annual payments (1 st due on delivery)	\$ 9,505.64

Discussion was held on purchasing versus leasing the truck.

John Hickey made a motion, seconded by Collin Manzo, to enter into a three (3) year municipal lease for the truck with three (3) annual payments of \$9,505.64 and to place a Warrant Article for the three (3) year lease.

VOTE: UNANIMOUS 6, Yea 0, Nay 0, Abstain

Shaun McCarty left the meeting at 8:10 p.m.

Superintendent Ciampa noted that Director of Curriculum B. Preliminary MCAS Instruction, and Assessment Kate Burnham and Special Results Education Director Kerry Cavanaugh are here to discuss the preliminary MCAS results.

Kate Burnham noted that the scores were released last week to the Educational Data Warehouse and because school districts across the Commonwealth are rushing to access

the data, things are running slow and at one point the Data Warehouse had to shut down. They haven't had a whole lot of time to dig deep and are still working on this.

The District Summary gives a quick glance of where their students placed and for the most part students are doing fairly well. Their accountability status is Level 2 as a result of spring MCAS scores at two (2) buildings TES & TMS. Again they did not make AYP. At this point, both the TES and TMS are identified for corrective action. She acknowledged page 2 and the requirements. Under fiscal requirements-20% of their Title I grant has to be allocated for NCLB Choice and SES. There are also requirements regarding communication with parents. She also reviewed some of the charts in the package. She noted that they need to make AYP for two (2) years to reach accountability status.

Kerry Cavanaugh noted that the special education sub-group has not made AYP. They continue to look at the data closely.

Kate Burnham noted that another issue that relates to where they're at in terms of accountability status is highly qualified percentages. They looked at this in August and addressed some issues that were flagged. She talked about the highly qualified piece.

Some discussion was held and Kate Burnham and Kerry Cavanaugh were thanked for their presentation.

Bill Schedules were signed.

11. Finance
A. Signing of Bill

None at this time.

12. Visitors' Comments
and Questions

Katelyn O'Connor noted that student grades close this Friday for the mid-terms at the High School. Seniors are in the application process for colleges and in English classes they have begun writing college essays.

13. School Committee
Discussion

Collin Manzo noted that in terms of MCAS, he feels that teachers get a bad rap. He is not a big fan of MCAS or NCLB. In terms of the debt exclusion, the pain of it

not passing will be greater long term. There are many capital needs in this town.

Joe Messina acknowledged the overview of the revised Open Meeting Laws. He reviewed a few items:

- Page 3 - Any board, subcommittee or any multi-member body within a municipality will be subject to OML.
- Page 5 - New requirement - Chair must expressly state that conducting the particular matter in an open session will have a detrimental effect on the School Committee's strategic or negotiating position, etc. Under Public Recording - The Chair must notify everyone in the room of audio/video recordings of the meeting.

John Hickey thanked Kerry Cavanaugh and Kate Burnham for their discussion of the MCAS results. He thanked Joe Messina for the three (3) year projections. He extended his congratulations to the Students of the Month and the fall sports teams. He noted that the Tyng Fling is October 2, 2010, volunteers are need for FOTHSA and that he had great feedback on the Open Houses.

Herb Desrosiers noted that the Special Education Parents Advisory Council (SEPAC) is holding a workshop on Parents' Basic Rights on October 6, 2010 at 6:00 p.m. in the TES 1st floor library. He congratulated the Students of the Month and noted the great job done by the football team. He noted that he is not against MCAS. It has the possibility to affect education in a positive way, but sometimes it's to the extreme. He talked about a movie coming out "Waiting for Superman". The movie is on education today and how the United States rates in the world.

Burt Buchman congratulated the Students of the Month and fall teams. He thanked George Trearchis for his prioritized list and discussion on the roadway at TES. He noted that there was an article in the Lowell Sun about Virtual High Schools. He noted that they were one of the first high schools to be part of Virtual High School. They have brought it back, but Tyngsborough was not mentioned in the article. He is glad to see the TECC Building Study Committee get going. He is pleased that all contracts are done. He thanked Kate Burnham and Kerry Cavanaugh for the information on MCAS. He noted

that he has been part of the Southern Poverty Law Center and one of the things they have is a Teaching Tolerance Program and they have a bullying kit that they're sending out without charge so he will try to get that kit.

Superintendent Ciampa noted that last week was very busy with Open Houses, TES Barbeque, meetings. He thanked Karyn Puleo for her company's donation of a color copier / fax machine. Donations from Tiger Pride has allowed late busses to start up. They have been receiving donations for an electronic message board. He thanked Kate Burnham, Kerry Cavanaugh and George Trearchis for their presentations tonight.

Chair Wennerstrom noted that the volunteers on the FOTHSA have children that have moved on for years, but have continued to support it. They're hoping that people step up to provide new leadership and action. She noted that in regards to the debt exclusion vote those items were not a wish list, but identified needs of the community. She encouraged people to stay educated about those needs.

9:10 p.m.

John Hickey made a motion, seconded by Burt Buchman, 14. Executive Session to go into Executive Session for the purpose of discussing a personnel issue and come out only to adjourn the open meeting.

VOTE: UNANIMOUS 5, Yea 0, Nay 0, Abstain

-Chair Wennerstrom	-Yea	-Mr. Hickey	-Yea
-Mr. Buchman	-Yea	-Mr. Manzo	-Yea
-Mr. Desrosiers	-Yea		

9:45 p.m.

Burt Buchman made a motion, seconded by John Hickey, 15. Adjournment to adjourn the open meeting.

VOTE: UNANIMOUS 5, Yea 0, Nay 0, Abstain

Respectfully submitted,

Herb Desrosiers, Secretary

APPROVED: October 5, 2010

TYNGSBOROUGH SCHOOL DISTRICT

SCHOOL COMMITTEE MEETING

EXECUTIVE SESSION

SEPTEMBER 21, 2010

2010 OCT -6 AM 0:35
TYNGSBOROUGH, MA.

9:10 p.m.

John Hickey made a motion, seconded by Burt Buchman, to go into Executive Session for the purpose of discussing a personnel issue and come out only to adjourn the open meeting.

VOTE: UNANIMOUS 5, Yea 0, Nay 0, Abstain

-Mrs. Wennerstrom	-Yea	-Mr. Hickey	-Yea
-Mr. Buchman	-Yea	-Mr. Manzo	-Yea
-Mr. Desrosiers	-Yea		

The Committee discussed a personnel issue.

On a motion made by Burt Buchman, seconded by Collin Manzo, it was voted to adjourn the Executive Session at 9:44 p.m. and come out only to continue the business on the agenda.

VOTE: UNANIMOUS 5, Yea 0, Nay 0, Abstain

-Mrs. Wennerstrom	-Yea	-Mr. Hickey	-Yea
-Mr. Buchman	-Yea	-Mr. Manzo	-Yea
-Mr. Desrosiers	-Yea		

APPROVED: October 5, 2010

Tyngsborough Town Hall
25 Bryants Lane
Tyngsborough, MA 01879

Attn: Mr. Michael P. Gilleberto
Town Administrator

October 5, 2010

Dear Sir,

I recently attended a Sewer Commission meeting and they informed me that you would be the person who could help me get a situation corrected.

For the past several years, I have been unable to successfully have the Highway Department evaluate and repair a storm drain that was installed on my property and piped under the public street to the brook across the road. It has continued to deteriorate and has now become a **safety hazard** for small children and animals.

Over the years, I have spoken to workers at the Highway Department who have all committed to coming over to view the situation but I have never received any follow up correspondence. Approximately 10 years ago, the storm drain backed up and the Highway Department had a backhoe dig up the blocked end of the pipe in the brook. The Fire Department aided with pumps as my backyard began to flood.

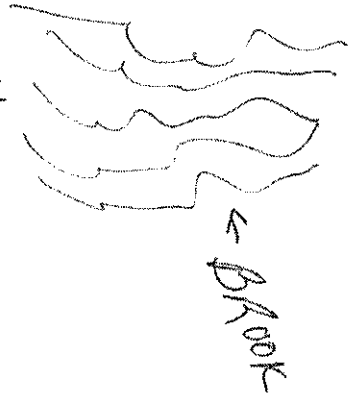
I am enclosing pictures for your convenience to review. I eagerly anticipate your response.

Respectfully,

Richard Sigman
3 Gail Avenue
Tyngsborough, MA 01879
Ph: 978-649-2724

RECEIVED
OCT 7 10 10 AM
2010

CHRISTINE AVE.



CHILL AVENUE

← DRAIN PIPE

